

JOURNAL

OF

THE SENATE

OF

THE UNITED STATES OF AMERICA;

BEING THE SECOND SESSION OF THE SEVENTH CONGRESS:

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

DECEMBER 6, 1802,

AND IN THE TWENTY-SEVENTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.

Printed by order of the Senate of the United States.

WASHINGTON :

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1821.

CONGRESS OF THE UNITED STATES.

THE Second Session of the Seventh Congress, conformably to the constitution of government of the United States, commenced this day; and the Senate assembled at the City of Washington.

MONDAY, DECEMBER 6, 1802.

PRESENT:

From the State of New Hampshire,	the Honorable Simeon Olcott.
Connecticut,	the Honorable Uriah Tracy.
Rhode Island,	the Honorable Christopher Ellery.
Vermont,	the Honorable Stephen R. Bradley.
Delaware,	the Honorable Samuel White.
Maryland,	the Honorable Robert Wright.
Georgia,	the Honorable Abraham Baldwin.

The Honorable William Plumer, appointed a Senator by the state of New Hampshire, to supply the vacancy occasioned by the resignation of the Honorable James Sheafe, produced his credentials, and took his seat in the Senate.

The number of members assembled not being sufficient to constitute a quorum,

On motion,

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 7, 1802.

The Senate assembled; present as yesterday; and

The Honorable Mr. Breckinridge, from the state of Kentucky; the Honorable Mr. Foster, from the state of Rhode Island; the Honorable Mr. Howard, from the state of Maryland; and the Honorable Mr. Logan, from the state of Pennsylvania, severally attended.

The number of members assembled not being sufficient to constitute a quorum,

On motion,

Adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 8, 1802.

The Senate assembled; present as yesterday.

The number of members assembled not being sufficient to constitute a quorum,

On motion,

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 9, 1802.

The Senate assembled; present as yesterday.

The number of members assembled not being sufficient to constitute a quorum,

On motion,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 10, 1802.

The Senate assembled; present as yesterday; and
 The Honorable Mr. S. T. Mason, from the state of Virginia, attended.
 The number of members assembled not being sufficient to constitute a quorum,
 On motion,
 Adjourned to 11 o'clock to-morrow morning.

SATURDAY, DECEMBER 11, 1802.

The Senate assembled; present as yesterday; and
 The Honorable Mr. Franklin, from the state of North Carolina, attended.
 The number of members assembled not being sufficient to constitute a quorum,
 On motion,
 Adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 13, 1802.

The Senate assembled; present as on Saturday; and
 The Honorable Mr. J. Mason, from the state of Massachusetts; the Honorable Mr. Dayton, and the Honorable Mr. Ogden, from the state of New Jersey; and the Honorable Mr. Sumpter, from the state of South Carolina, severally attended.
 The Vice President being absent, the Senate proceeded to the choice of a President, pro tempore, as the constitution provides, and the ballots being collected and counted, the whole number was found to be 17, of which 9 make a majority.

Mr. Bradley had -	-	-	-	7
Tracy	-	-	-	7
Baldwin	-	-	-	1
Dayton	-	-	-	1
Logan	-	-	-	1

There was consequently no choice.

Whereupon,

The Senate proceeded to the election of a President, pro tempore,* as the constitution provides, and the ballots being collected and counted, the whole number was found to be 17, of which 9 make a majority.

Mr. Bradley had -	-	-	-	8
Tracy	-	-	-	7
Dayton	-	-	-	1
Logan	-	-	-	1

There was consequently no choice.

Whereupon,

The Senate proceeded to the election of a President, pro tempore, as the constitution provides, and the ballots being collected and counted, the whole number was found to be 17, of which 9 make a majority.

Mr. Bradley had -	-	-	-	8
Tracy	-	-	-	7
Dayton	-	-	-	1
Logan	-	-	-	1

There was consequently no choice.

Whereupon,

The Senate proceeded to the election of a President, pro tempore, as the constitution provides, and the ballots being collected and counted, the whole number of votes was 14, of which 8 make a majority.

Mr. Tracy had -	-	-	-	7
Bradley	-	-	-	5
Dayton	-	-	-	1
Logan	-	-	-	1

There was consequently no choice; and

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 14, 1802.

The Vice President being absent, the Senate proceeded to the choice of a President pro tempore, as the constitution provides, and the ballots being collected and counted, the whole number was found to be 17, of which 9 make a majority.

Mr. Bradley had	-	-	-	-	9
Tracy	-	-	-	-	7
Dayton	-	-	-	-	1

Consequently, the Honorable Stephen R. Bradley was elected President of the Senate, pro tempore.

The credentials of the Honorable Mr. Plumer, appointed a Senator by the state of New Hampshire, to supply the vacancy occasioned by the resignation of the Honorable James Sheafe, Esq. were read; and the oath prescribed by law was administered to him by the President.

On motion,

Ordered, That the Secretary wait on the President of the United States, and acquaint him that a quorum of the Senate is assembled, and that, in the absence of the Vice President, they have elected the Honorable Stephen R. Bradley President of the Senate pro tempore.

On motion,

Ordered, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business, and that, in the absence of the Vice President, they have elected the Honorable Stephen R. Bradley President of the Senate pro tempore.

On motion,

Resolved, That each Senator be supplied, during the present session, with three such newspapers, printed in any of the states, as he may choose; provided that the same be furnished at the rate usual for the annual charge of such papers.

On motion,

Resolved, That James Mathers, Sergeant-at-Arms and Doorkeeper to the Senate, be, and he is hereby, authorized to employ one additional assistant and two horses, for the purpose of performing such services as are usually required of the doorkeeper to the Senate; and that the sum of twenty-eight dollars be allowed him weekly, for the purpose, during the session, and for twenty days after.

A message from the House of Representatives, by Mr. Lambert, in the absence of their Clerk:

Mr. President: A quorum of the House of Representatives has assembled, and is proceeding on the public business. And he withdrew.

On motion,

Ordered, That Messrs. Wright and T. Foster be a committee on the part of the Senate, together with such committee as the House of Representatives may appoint on their part, to wait on the President of the United States and notify him that a quorum of the two houses is assembled, and ready to receive any communications that he may be pleased to make to them.

Ordered, That the Secretary desire the concurrence of the House of Representatives herein.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives agree to the appointment of a joint committee to wait on the President of the United States, and have appointed a committee on their part. And he withdrew.

Mr. Wright reported, from the joint committee last mentioned, that they had accordingly waited on the President of the United States, and that the President of the United States informed the committee that he would make a communication to the two houses, by message, to-morrow.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have resolved that two chaplains, of different denominations, be appointed to Congress for the present session, one by each house, who shall interchange weekly. And he withdrew.

Whereupon,

Resolved, That the Senate do concur in the resolution last mentioned.

Ordered, That the Secretary acquaint the House of Representatives therewith.

On motion,

It was agreed to proceed to the choice of a chaplain on the part of the Senate, and the ballots having been collected and counted, the whole number was 17, of which 9 is the majority.

Doctor Gantt had	-	-	-	10,
M'Cormick	-	-	-	4,
Priestley	-	-	-	2,
Balch	-	-	-	1.

So it was

Resolved, That the Reverend Doctor Gantt be the chaplain to Congress on the part of the Senate, during the present session.

Ordered, That the Secretary acquaint the House of Representatives therewith.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 15, 1802.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

To the Senate and House of Representatives of the United States:

When we assemble together, fellow-citizens, to consider the state of our beloved country, our just attentions are first drawn to those pleasing circumstances which mark the goodness of that Being from whose favor they flow, and the large measure of thankfulness we owe for his bounty. Another year has come around, and finds us still blessed with peace and friendship abroad; law, order, and religion, at home; good affection and harmony with our Indian neighbors; our burthens lightened, yet our income sufficient for the public wants, and the produce of the year great beyond example. These, fellow-citizens, are the circumstances under which we meet: and we remark, with special satisfaction, those which, under the smiles of Providence, result from the skill, industry, and order, of our citizens, managing their own affairs in their own way, and for their own use, unembarrassed by too much regulation, unoppressed by fiscal exactions.

On the restoration of peace in Europe, that portion of the general carrying trade which had fallen to our share during the war, was abridged by the returning competition of the belligerent powers. This was to be expected, and was just. But, in addition, we find in some parts of Europe monopolizing discriminations, which, in the form of duties, tend effectually to prohibit the carrying thither our own produce in our own vessels. From existing amities, and a spirit of justice, it is hoped that friendly discussion will produce a fair and adequate reciprocity. But should false calculations of interest defeat our hope, it rests with the legislature to decide whether they will meet inequalities abroad with countervailing inequalities at home, or provide for the evil in any other way.

It is with satisfaction I lay before you an act of the British parliament anticipating this subject so far as to authorize a mutual abolition of the duties and countervailing duties, permitted under the treaty of 1794. It shows, on their part, a spirit of justice and friendly accommodation, which it is our duty and our interest to cultivate with all nations. Whether this would produce a due equality in the navigation between the two countries is a subject for your consideration.

Another circumstance which claims attention, as directly affecting the very source of our navigation, is the defect or the evasion of the law providing for the return of seamen, and particularly of those belonging to vessels sold abroad. Numbers of them, discharged in foreign ports, have been thrown on the hands of our consuls, who, to rescue them from the dangers into which their distresses might plunge them, and save them to their country, have found it necessary, in some cases, to return them at the public charge.

The cession of the Spanish province of Louisiana to France, which took place in the course of the late war, will, if carried into effect, make a change in the aspect of our foreign relations, which will doubtless have just weight in any deliberations of the legislature connected with that subject.

There was reason, not long since, to apprehend that the warfare in which we were engaged with Tripoli might be taken up by some other of the Barbary powers. A reinforcement, therefore, was immediately ordered to the vessels already there. Subsequent information, however, has removed these apprehensions for the present. To secure our commerce in that sea with the smallest force competent, we have supposed it best to watch strictly the harbor of Tripoli. Still, however, the shallowness of their coast, and the want of smaller vessels on our part, has permitted some cruisers to escape unobserved; and to one of these an American vessel unfortunately fell a prey. The captain, one American seamen, and two others of color, remain prisoners with them; unless exchanged under an agreement formerly made with the bashaw, to whom, on the faith of that, some of his captive subjects had been restored.

The convention with the state of Georgia has been ratified by their legislature, and a repurchase from the Creeks has been consequently made of a part of the Talasscee country. In this purchase has been also comprehended a part of the lands within the fork of Oconee and Oakmulgee rivers. The particulars of the contract will be laid before Congress so soon as they shall be in a state for communication.

In order to remove every ground of difference possible with our Indian neighbors, I have proceeded in the work of settling with them and marking the boundaries between us. That with the Choctaw nation is fixed in one part, and will be through the whole within a short time. The country to which their title had been extinguished before the revolution is sufficient to receive a very respectable population, which Congress will probably see the expediency of encouraging so soon as the limits shall be declared. We are to view this position as an outpost of the United States, surrounded by strong neighbors, and distant from its support. And how far that monopoly which prevents population should here be guarded against, and actual habitation made a condition of the continuance of title will be for your consideration. A prompt settlement, too, of all existing rights and claims within this territory presents itself as a preliminary operation.

In that part of the Indiana territory which includes Vincennes, the lines settled with the neighboring tribes fix the extinction of their title at a breadth of twenty-four leagues from east to west, and about the same length, parallel with and including the Wabash. They have also ceded a tract of four miles square, including the salt springs, near the mouth of that river.

In the department of finance it is with pleasure I inform you that the receipts of external duties for the last twelve months have exceeded those of any former year, and that the ratio of increase has been also greater than usual. This has enabled us to answer all the regular exigencies of government, to pay from the Treasury within one year upwards of eight millions of dollars, principal and interest, of the public debt, exclusive of upwards of one million paid by the sale of bank stock, and making in the whole a reduction of nearly five millions and an half of principal, and to have now in the Treasury four millions and a half of dollars, which are in a course of application to the further discharge of debt and current demands. Experience, too, so far, authorizes us to believe, if no extraordinary event supervenes, and the expenses which will be actually incurred shall not be greater than were contemplated by Congress at their last session, that we shall not be disappointed in the expectations then formed. But, nevertheless, as the effect of peace on the amount of duties is not yet fully ascertained, it is the more necessary to practise every useful economy, and to incur no expense which may be avoided without prejudice.

The collection of the internal taxes having been completed in some of the states, the officers employed in it are of course out of commission. In others they will be so shortly; but in a few, where the arrangements for the direct tax had been retarded, it will be some time before the system is closed. It has not yet been thought necessary to employ the agent authorized by an act of the last session, for transacting business in Europe relative to debts and loans. Nor have we used the power, confided by the same act, of prolonging the foreign debt by re-loans, and of redeeming, instead thereof, an equal sum of the domestic debt. Should, however, the difficulties of remittance on so large a scale render it necessary at any time, the power shall be executed, and the money thus unemployed abroad shall, in conformity with that law, be faithfully applied here in an equivalent extinction of domestic debt. When effects so salutary result from the plans you have already sanctioned; when, merely by avoiding false objects of expense, we are able, without a direct tax, without internal taxes, and without borrowing, to make large and effectual payments towards the discharge of our public debt, and the emancipation of our posterity from that mortal canker; it is an encouragement, fellow-citizens, of the highest order, to proceed as we have begun, in substituting economy for taxation, and in pursuing what is useful for a nation placed as we are, rather than what is practised by others under different circumstances. And whensoever we are destined to meet events which shall call forth all the energies of our countrymen, we have the firmest reliance on those energies, and the comfort of leaving for calls like these the extraordinary resources of loans and internal taxes. In the mean time, by payments of the principal of our debt, we are liberating, annually, portions of the external taxes, and forming from them a growing fund, still further to lessen the necessity of recurring to extraordinary resources.

The usual account of receipts and expenditures for the last year, with an estimate of the expenses of the ensuing one, will be laid before you by the Secretary of the Treasury.

No change being deemed necessary in our military establishment, an estimate of its expenses for the ensuing year, on its present footing, as also of the sums to be employed in fortifications, and other objects within that department, has been prepared by the Secretary of War, and will make a part of the general estimates which will be presented you.

Considering that our regular troops are employed for local purposes, and that the militia is our general reliance for great and sudden emergencies, you will doubtless

think this institution worthy of a review, and give it those improvements of which you find it susceptible.

Estimates for the naval department, prepared by the Secretary of the Navy, for another year, will, in like manner, be communicated with the general estimates. A small force in the Mediterranean will still be necessary to restrain the Tripoline cruisers: and the uncertain tenure of peace with some other of the Barbary powers may eventually require that force to be augmented. The necessity of procuring some smaller vessels for that service will raise the estimate: but the difference in their maintenance will soon make it a measure of economy.

Presuming it will be deemed expedient to expend annually a convenient sum towards providing the naval defence which our situation may require, I cannot but recommend that the first appropriations for that purpose may go to the saving what we already possess. No cares, no attentions, can preserve vessels from rapid decay, which lie in water and exposed to the sun. These decays require great and constant repairs, and will consume, if continued, a great portion of the moneys destined to naval purposes. To avoid this waste of our resources, it is proposed to add to our navy yard here a dock, within which our present vessels may be laid up dry, and under cover from the sun. Under these circumstances, experience proves that works of wood will remain scarcely at all affected by time. The great abundance of running water which this situation possesses, at heights far above the level of the tide, if employed as is practised for lock navigation, furnishes the means for raising and laying up our vessels on a dry and sheltered bed. And should the measure be found useful here, similar depositories for laying up, as well as for building and repairing vessels, may hereafter be undertaken at other navy yards offering the same means. The plans and estimates of the work, prepared by a person of skill and experience, will be presented to you without delay; and from this it will be seen that scarcely more than has been the cost of one vessel is necessary to save the whole, and that the annual sum to be employed towards its completion may be adapted to the views of the legislature as to naval expenditure.

To cultivate peace, and maintain commerce and navigation in all their lawful enterprises; to foster our fisheries as nurseries of navigation and for the nurture of man, and protect the manufactures adapted to our circumstances; to preserve the faith of the nation by an exact discharge of its debts and contracts, expend the public money with the same care and economy we would practise with our own, and impose on our citizens no unnecessary burthens; to keep, in all things, within the pale of our constitutional powers, and cherish the federal union as the only rock of safety; these, fellow-citizens, are the landmarks by which we are to guide ourselves in all our proceedings. By continuing to make these the rule of our action, we shall endear to our countrymen the true principles of their constitution, and promote an union of sentiment and of action, equally auspicious to their happiness and safety. On my part you may count on a cordial concurrence in every measure for the public good; and on all the information I possess which may enable you to discharge to advantage the high functions with which you are invested by your country.

TH. JEFFERSON.

December 15th, 1802.

The message and papers therein referred to were read.

On motion,

Ordered, That five hundred copies of the message of the President of the United States, together with one hundred copies of each of the papers referred to in the message, be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have elected the Reverend William Parkinson a chaplain to Congress, on their part. And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 16, 1802.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 17, 1802.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock to-morrow morning.

SATURDAY, DECEMBER 18, 1802.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 20, 1802.

The Honorable Mr. Clinton, from the state of New York, and the Honorable Mr. Jackson, from the state of Georgia, attended.

The President communicated a letter from the Secretary for the Department of Treasury, together with a report, of the 16th instant, on the permanent revenues of the United States, referring to a statement of the sale of lands in the districts of Cincinnati, Steubenville, Chillicothe, and Marietta, and the moneys paid thereon, 1st November, 1802, marked A; to a statement (B.) exhibiting the amount of revenue arising on importations for each quarter, from the 1st day of October, 1800, to the 30th September, 1802; also, to certain proceedings of the Commissioners of the Sinking Fund, in relation to the sale of the shares of the stock of the Bank of the United States, marked C; which were severally read.

On motion,

Ordered, That they be printed for the use of the Senate.

Mr. J. Mason presented the petition of Sarah Fletcher and Jane Ingraham, widows, stating that they have unfortunately lost their husbands in the public service, on board the armed ship *Insurgent*, and armed brig *Pickering*; whereby they are reduced to indigent circumstances, and praying relief; and the petition was read.

Ordered, That it be referred to Messrs J. Mason, Dayton, and Tracy, to consider and report thereon.

Mr. Tracy notified the Senate that he would, to-morrow, ask leave to bring in a bill to carry into effect the resolution of Congress, passed on the 17th day of June, 1777, for erecting a monument to the memory of General Wooster.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 21, 1802.

Mr. S. T. Mason presented the memorial of the members of the first and second chambers of the city council of Washington, in the District of Columbia, praying that certain alterations in the law establishing their incorporation may be made; which memorial was read.

Ordered, That it be referred to Messrs. S. T. Mason, Howard, and Baldwin, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 22, 1802.

The Honorable Dwight Foster, from the state of Massachusetts, attended.

Agreeably to notice given on the 20th instant, Mr. Tracy had leave to bring in a bill to carry into effect a resolution of Congress to erect a monument to the memory of the late General David Wooster; which was read.

Ordered, That this bill pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 23, 1802.

The Honorable Mr. Morris, from the state of New York, attended.

The bill to carry into effect a resolution of Congress to erect a monument to the memory of the late General David Wooster, was read the second time.

Ordered, That it be referred to Messrs. Tracy, Jackson, and Franklin, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 24, 1802.

The President communicated a letter and report from the Secretary for the Department of State, in pursuance of the "Act to revive and continue in force certain parts of the 'Act for the relief and protection of American seamen,' and to amend the same;" and they were read.

Ordered, That they be printed for the use of the Senate.

Mr. Breckinridge laid before the Senate sundry resolutions of the legislature of the state of Kentucky, of the 1st instant, with a copy of their memorial to the President of the United States and to Congress, respecting the proclamation of the Intendant of the port of New Orleans, 18th October last, forbidding the American citizens to deposit their merchandises and effects in the said port; which were read.

And it was agreed that they should lie for consideration.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 27, 1802.

The Honorable Mr. Hillhouse, from the state of Connecticut, attended.

The President laid before the Senate the general account of the Treasurer of the United States, from October 1st, 1801, to October 1st, 1802; as, also, the accounts for the War and Navy Departments, for the same period; which were read.

Ordered, That they be printed for the use of the Senate.

Mr. Sumpter presented a letter from the Governor of the state of South Carolina directed to the Senators of that state in the Congress of the United States, requesting their endeavors to procure a law for the remission of the impost duties on certain brass ordnance and military stores, purchased in England for the use of that state, in consequence of appropriations made by the legislature for that purpose; and the letter was read.

Ordered, That it lie for consideration.

Mr. Sumpter also presented to the Senate the petition of Adam Tunno, James Bulgin, and George Verree, assignees of the estate and effects of M'Farland and Player, of Charleston, merchants, stating that the said M'Farland and Player, before they became bankrupts, imported into Charleston certain quantities of sugar, which were accidentally destroyed by fire; and praying, in their behalf, the remission of the duties thereon: And the petition was read.

Ordered, That it lie for consideration.

Mr. Morris presented the petition of the inhabitants of the Mississippi territory, holding lands under Spanish grants and occupancy, obtained prior to the ratification of the treaty between the United States and Spain, praying to be confirmed in their titles: And the petition was read.

Ordered, That it be referred to Messrs. Morris, Jackson, and Baldwin, to consider and report thereon; and that, in the mean time, it be printed for the use of the Senate.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 28, 1802.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

Gentlemen of the Senate

and of the House of Representatives:

In my message of the 15th instant, I mentioned that plans and estimates of a dry dock for the preservation of our ships of war, prepared by a person of skill and experience, should be laid before you without delay. These are now transmitted; the report and estimate by duplicates; but the plans being single only, I must request an intercommunication of them between the houses, and their return when they shall be no longer wanting for their consideration.

TH. JEFFERSON.

December 27, 1802.

The message and papers therein referred to were read.

Ordered, That they be printed for the use of the Senate.

Mr. Breckinridge presented the petition of sundry inhabitants of the Mississippi territory, holding lands under Spanish grants and occupancy, obtained prior to the ratification of the treaty between the United States and Spain, and praying to be confirmed in their titles; and the petition was read.

Ordered, That it be referred to the committee appointed yesterday on the same subject, to consider and report thereon.

Mr. Breckinridge also presented the petition of Christian Vangundy, stating that he was an early settler in the territory of the United States northwest of the river Ohio, and praying a pre-emption right to the section on which he hath made a settlement, for reasons therein mentioned; and the petition was read.

Ordered, That it be referred to Messrs. Breckinridge, Hillhouse, and Baldwin, to consider and report thereon.

On motion,

Ordered, That the resolutions and memorial of the legislature of the state of Kentucky, communicated on the 24th instant, be printed for the use of the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 29, 1802.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 30, 1802.

The Honorable Mr. Anderson, and the Honorable Mr. Cocke, from the state of Tennessee, severally attended.

Mr. Tracy, from the committee to whom was referred, on the 23d instant, the bill to carry into effect a resolution of Congress to erect a monument to the memory of the late General David Wooster, reported amendments; which were read.

Ordered, That they be printed for the use of the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 31, 1802.

Mr. Morris presented the petition of Nicholas Perkins, and others, practitioners of law in the Mississippi territory, stating that a petition hath been circulated in the said territory, praying, amongst other things, "that the office of the territorial judges of that government be abolished," and shewing cause why the prayer of the said petition should not be granted; and the petition was read.

Ordered, That it lie for consideration.

Mr. Ogden presented the petition of Cloe Strong, widow of David Strong, late colonel of the first United States regiment, stating that her husband lost his life by a malignant fever at Wilkinsonville, and that she is left in indigent circumstances, and praying relief; and the petition was read.

Ordered, That it be referred to Messrs. Ogden, Tracy, and Sumpter, to consider and report thereon.

The Senate took into consideration the amendments reported by the committee to the bill to carry into effect a resolution of Congress to erect a monument to the memory of the late General David Wooster; and having amended the report,

Ordered, That the bill, together with the report, be recommitted to the committee who brought in the bill for further amendment; and that Messrs. Clinton and Hillhouse be added to the said committee.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 3, 1803.

The Honorable Mr. Nicholas, from the state of Virginia, and the Honorable Mr. Wells, from the state of Delaware, attended.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 4, 1803.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act for the relief of Charles Hyde," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

Ordered, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 5, 1803.

The bill, entitled "An act for the relief of Charles Hyde," was read the second time.

Ordered, That it be referred to Messrs. Baldwin, Clinton, and Nicholas, to consider and report thereon.

Mr. Logan presented the petition of George White and others, journeymen printers, of the city of Philadelphia, praying that such additional duties may be laid on imported books, as to the wisdom of Congress may seem meet and proper; and the petition was read.

Ordered, That it lie for consideration.

Mr. White presented the memorial of the Philadelphia Chamber of Commerce, signed Thomas Fitzsimons, in their behalf, praying that the acts of Congress, entitled "An act imposing duties on the tonnage of ships and vessels;" and "An act making further provision for the debts of the United States," as they are attended with the most beneficial consequences to the trade, may not be repealed; and the petition was read.

Ordered, That it lie on the table

Mr. Tracy, from the committee to whom were recommitted, on the 31st of December last, the bill to carry into effect a resolution of Congress to erect a monument to the memory of the late General David Wooster, together with the amendments thereto, reported further amendments; which were read.

Ordered, That they lie for consideration.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three;" and a bill, entitled "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three;" in which several bills they desire the concurrence of the Senate. And he withdrew.

The bills were read.

On motion,

Ordered, That they severally pass to the second reading.

On motion, that it be

Resolved, That a committee be appointed to bring in a bill for giving effect to the laws of the United States within the state of Ohio:

It was agreed that this motion lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 6, 1803.

The bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three," was read the second time.

Ordered, That it be referred to Messrs. Jackson, J. Mason, and Nicholas, to consider and report thereon.

The bill, entitled "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Plumer, and Clinton, to consider and report thereon.

The Senate took into consideration the amendments yesterday reported by the committee to the bill to carry into effect a resolution of Congress to erect a monument to the memory of the late General David Wooster; and, having agreed thereto, and amended the bill accordingly,

Ordered, That it pass to the third reading as amended.

The Senate adjourned to 11 o'clock to-morrow morning.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 10, 1803.

Mr. Baldwin, from the committee to whom was referred, on the 5th instant, the bill, entitled "An act for the relief of Charles Hyde," reported it without amendment.

Ordered, That this bill pass to the third reading.

Mr. Jackson, from the committee to whom was referred, on the 6th instant, the bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three," reported amendments; which were read.

Ordered, That they lie for consideration.

On motion,

Resolved, That Mr. Plumer be of the joint committee for enrolled bills on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Tracy, from the committee to whom was referred, on the 6th instant, the bill, entitled "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three," reported it without amendment.

Ordered, That this bill pass to the third reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 11, 1803.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

Gentlemen of the Senate

and of the House of Representatives:

I transmit you a report received from the director of the mint on the subject of that institution.

TH. JEFFERSON.

January 11, 1803.

The message and papers therein referred to were read.

Ordered, That they lie for consideration.

The Senate took into consideration the amendments yesterday reported by the committee to the bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three;" and, having agreed thereto,

Ordered, That the bill pass to the third reading as amended.

The bill, entitled "An act for the relief of Charles Hyde," was read the third time, and amended by adding, line 8th, after the word "services," "in addition to his pay in the line."

Resolved, That this bill pass as amended.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendment.

The bill, entitled "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify to the House of Representatives the concurrence of the Senate in this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 12, 1803.

The bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 13, 1803.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have appointed a joint committee for enrolled bills on their part. They concur in the amendment of the Senate to the bill entitled "An act for the relief of Charles Hyde." And he withdrew.

Mr. Plumer reported, from the committee for enrolled bills, that they had examined and found duly enrolled the bill, entitled "An act for the relief of Charles Hyde;" and the bill, entitled "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three."

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 14, 1803.

Mr. Plumer, from the committee, reported that they had this day laid before the President of the United States the enrolled bill, entitled "An act for the relief of Charles Hyde;" and the enrolled bill, entitled "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three."

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The President of the United States hath this day approved and signed "An act for the relief of Charles Hyde;" and "An act making a partial appropriation for the naval service during the year one thousand eight hundred and three." And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 17, 1803.

The Honorable Mr. Brown, from the state of Kentucky, attended.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 18, 1803.

Two written messages were received from the President of the United States, by Mr. Lewis, his Secretary; the first a confidential message, which was read, as is stated on the Executive record.

Ordered, That it lie for consideration.

On motion,

That it be printed for the use of the Senate,

It was agreed that the consideration of this motion be postponed.

The other message was read, as follows:

Gentlemen of the Senate and

of the House of Representatives:

I enclose a report of the Secretary of War, stating the trading houses established in the Indian territories, the progress which has been made, in the course of the last year, in settling and marking boundaries with the different tribes, the purchases of lands recently made from them, and the prospect of further progress in marking boundaries, and in new extinguishments of title in the year to come; for which some appropriations of money will be wanting.

To this I have to add, that, when the Indians ceded to us the salt springs on the Wabash, they expressed a hope that we would so employ them as to enable them to procure there the necessary supplies of salt. Indeed, it would be the most proper and acceptable form in which the annuity could be paid which we propose to give them for the cession. These springs might, at the same time, be rendered eminently serviceable to our western inhabitants, by using them as the means of counteracting the monopolies of supplies of salt, and of reducing the price in that country to a just level. For these purposes a small appropriation would be necessary to meet the first

expenses, after which they should support themselves, and repay those advances. These springs are said to possess the advantage of being accompanied with a bed of coal.

TH. JEFFERSON.

January 18, 1803.

The report referred to was read.

Ordered, That the message and report lie for consideration.

Mr. J. Mason, from the committee to whom was referred, on the 20th of December last, the petition of Sarah Fletcher and Jane Ingraham, made report; which was read.

Ordered, That it lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 19, 1803.

The Honorable AARON BURR, Vice President of the United States, and President of the Senate, attended.

The Senate took into consideration the report of the committee on the petition of Sarah Fletcher and Jane Ingraham.

On motion,

Ordered, That the report be recommitted to the original committee, with an instruction further to consider and report thereon, by bill or otherwise.

Mr. Breckinridge, from the committee to whom was referred, on the 7th inst. the motion to inquire whether any, and, if any, what, legislative measures may be necessary for admitting the state of Ohio into the Union, or for extending to that state the laws of the United States, made report; which was read.

Ordered, That it lie for consideration.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

Gentlemen of the Senate

and of the House of Representatives:

I now lay before Congress the annual account of the fund established for defraying the contingent charges of government. A single article of 1440 dollars, paid for bringing home seventy-two seamen, discharged in foreign ports from vessels sold abroad, is the only expenditure from that fund: leaving an unexpended balance of 18,560 dollars in the Treasury.

TH. JEFFERSON.

January 19, 1803.

The message and paper therein referred to were read.

Ordered, That they be committed to Messrs. Morris, J. Mason, and Dayton, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 20, 1803.

The Vice President laid before the Senate a certificate of the election of Samuel M'Clay, Esquire, of Northumberland county, and state of Pennsylvania, to be a Senator of the United States from the 4th day of March next, inclusive; and it was read.

Ordered, That it lie on file.

The Vice President laid before the Senate a letter signed John Avery, secretary of the state of Massachusetts, with a set of the maps of that state, for the use of the Senate.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act for the relief of Henry Messonnier;" a bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth;" and a bill, entitled "An act for the relief of insolvent debtors within the District of Columbia;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills were read.

Ordered, That they severally pass to the second reading.

The Senate resumed the consideration of the confidential message of the President of the United States, communicated on the 18th instant, and

Ordered, That it be referred to Messrs. Nicholas, Jackson, and Logan, to consider and report thereon.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 21, 1803.

The bill, entitled "An act for the relief of Henry Messonnier," was read the second time.

Ordered, That it be referred to Messrs. Bradley, Clinton, and Ellery, to consider and report thereon.

The bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth," was read the second time.

Ordered, That it be referred to Messrs. Plumer, Olcott, and Dwight Foster, to consider and report thereon.

The bill, entitled "An act for the relief of insolvent debtors within the District of Columbia," was read the second time.

Ordered, That it be referred to Messrs. Wright, Wells, and Stone, to consider and report thereon.

The Senate took into consideration the report of the committee of the 19th instant, on the motion to inquire whether any, and, if any, what, legislative measures may be necessary for admitting the state of Ohio into the Union, or for extending to that state the laws of the United States; and

On motion,

Ordered, That it be referred to a special committee, with an instruction to bring in a bill accordingly; and that Messrs. Breckinridge, Morris, and Anderson, be the committee.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 24, 1803.

The Vice President communicated a letter from the Clerk of the House of Representatives of the state of Delaware, inclosing the credentials of Samuel White, esquire, elected a senator of the United States for the term of six years, commencing on the 4th day of March next; and they were read.

Ordered, That they lie on file.

Mr. J. Mason, from the committee to whom the report on their petition was recommended the 19th instant, reported a bill for the relief of Sarah Fletcher and Jane Ingraham; which was read.

Ordered, That this bill pass to the second reading.

Mr. Morris laid before the Senate the memorial of the Chamber of Commerce of the city of New York, praying that a repeal of the acts making discrimination between American and foreign duties on imports and tonnage may not take place, for reasons therein stated; and the memorial was read.

Ordered, That it be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act for incorporating an assurance company in the city of Washington;" and a bill, entitled "An act for the relief of Hugh Alexander and others;" in which they desire the concurrence of the Senate. They agree to the amendments of the Senate to the bill, entitled "An act making appropriations for the military establishment of the United States, in the year one thousand eight hundred and three," with an amendment, in which they desire the concurrence of the Senate. And he withdrew.

The two bills first named in the message were read.

Ordered, That they severally pass to the second reading.

The amendment to the amendment of the bill last mentioned in the message was read; and

It was agreed that the consideration thereof should be postponed until to-morrow.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 25, 1803.

The bill for the relief of Sarah Fletcher and Jane Ingraham was read the second time.

The bill, entitled "An act for the relief of Hugh Alexander and others," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Bradley, and Brown, to consider and report thereon.

On motion,

Ordered, That the memorial of the Chamber of Commerce of the city of Philadelphia, presented on the 5th instant, be printed for the use of the Senate.

The Senate took into consideration the amendment of the House of Representatives to their amendment to the bill, entitled "An act making appropriations for the military establishment of the United States, in the year one thousand eight hundred and three;" and

Ordered, That the consideration thereof be postponed

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate and
of the House Representatives:*

I transmit a report by the superintendent of the city of Washington, on the affairs of the city committed to his care. By this you will perceive that the re-sales of lots prescribed by an act of the last session of Congress, did not produce a sufficiency to pay the debt to Maryland to which they are appropriated; and as it was evident that the sums necessary for the interest and instalments due to that state could not be produced by a sale of the other public lots, without an unwarrantable sacrifice of the property, the deficiencies were of necessity drawn from the Treasury of the United States.

The office of the surveyor for the city, created during the former establishment, being of indispensable necessity, it has been continued: and to that of the superintendent, substituted instead of the board of commissioners at the last session of Congress, no salary was annexed by law. These offices being permanent, I have supposed it more agreeable to principle that their salaries should be fixed by the legislature, and therefore have assigned them none. Their services to be compensated are from the 1st day of June last.

The marshal of the district of Columbia has, as directed by law, caused a jail to be built in the city of Washington. I inclose his statements of the expenses already incurred, and of what remains to be finished. The portion actually completed has rendered the situation of the persons confined much more comfortable and secure than it has been heretofore.

TH. JEFFERSON.

January 24, 1803.

The message and papers therein referred to were read.

Ordered, That they lie for consideration.

On motion, that it be

Resolved, That ——— copies of a report made by the Secretary of State in 1793, to both Houses of Congress, respecting the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, be printed for the use of the Senate:

It was agreed that this motion should lie for consideration.

The bill, entitled "An act for incorporating an insurance company in the city of Washington," was read the second time.

Ordered, That it be referred to Messrs. Nicholas, J. Mason, and Tracy, to consider and report thereon.

On motion,

Resolved, That so much of the message of the President of the United States of the 18th instant, as relates to the salt springs on the Wabash, be referred to a special committee, with leave to report by bill or otherwise, and that Messrs. Franklin, Breckinridge, and Anderson, be the committee.

On motion, that it be

Resolved, That so much of the letter of the Secretary of War which accompanied the message of the President of the United States of the 18th instant, as relates to the renewal of the act, entitled "An act for establishing trading houses with the Indian tribes," be referred to a special committee, with leave to report by bill or otherwise:

It was agreed that this motion should lie for consideration.

After progress in the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 26, 1803.

The Honorable James Ross, from the state of Pennsylvania, attended.

The Vice President communicated the report of the Postmaster General, in conformity with the 30th section of the act to establish the post office; which was read.

Ordered, That it be printed for the use of the Senate.

The motion made yesterday that the report of the Secretary for the Department of State, made in 1793, on the privileges and restrictions of commerce, be printed, was resumed; and the blank filled with the words *two hundred*, and the motion was agreed to as follows:

Resolved, That two hundred copies of a report made by the Secretary of State in 1793, to both Houses of Congress, respecting the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, be printed for the use of the Senate.

The Senate resumed the second reading of the bill for the relief of Sarah Fletcher and Jane Ingraham; and,

On the question, Shall this bill pass to the third reading?

It was determined in the negative.

So the bill was lost.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 27, 1803.

Mr. Ross presented the several representations and memorials of Richard Basset, Egbert Benson, Benjamin Bourne, William Griffith, Samuel Hitchcock, P. B. Key, C. Magill, Jeremiah Smith, G. K. Taylor, William Tilghman, and Oliver Wolcott, judges of the circuit courts under the late act, entitled "An act to provide for the more convenient organization of the courts of the United States," stating that since the repeal of the said act no law had been made for assigning to them the execution of any judicial functions, nor has any provision been made for the payment of their stipulated compensations; and most respectfully requesting Congress to review the existing laws with respect to the offices in question; and the memorials were read.

Ordered, That they be referred to Messrs. Morris, Ross, and Dayton, to consider and report thereon, and that the memorials be printed for the use of the Senate.

Mr. Nicholas, from the committee to whom was referred, on the 20th instant, the message of the President of the United States, of the 18th, reported, in part, that an act, entitled "An act for establishing trading houses with the Indian tribes," ought to be revived and continued in force; and the report was agreed to; and

Ordered, That it be recommitted to the same committee, with leave to report by bill or otherwise.

Mr. Breckinridge, from the committee to whom was referred, on the 21st instant, the report of the committee on the motion to inquire whether any, and, if any, what, legislative measures may be necessary for admitting the state of Ohio into the Union, or for extending to that state the laws of the United States, reported a bill on the subject; which was read.

Ordered, That it pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 28, 1803.

The Vice President communicated a report of the Attorney General of the United States, on the contract with John Cleves Symmes, in pursuance of the resolution of the Senate of the 30th April last; which was read.

Ordered, That it lie for consideration, and that it be printed for the use of the Senate.

Mr. Howard presented the petition of William Marbury, Robert Townsend Hooe, and Dennis Ramsay, praying that the Secretary of the Senate may be directed to deliver them a certified copy of their nominations to be justices of the peace for the counties of Washington and Alexandria; and the petition was read.

Whereupon, a motion was made, that it be

Resolved, That the Secretary of the Senate be directed to give an attested copy of the proceedings of the Senate of the 2d and 3d of March, 1801, so far as they relate to the nomination and appointment of William Marbury, Robert T. Hooe, and Dennis Ramsay, as justices of the peace for the counties of Washington and Alexandria, in the territory of Columbia, on the application of them or either of them; and

It was agreed that this motion should lie for consideration.

Mr. Ross presented the memorial of the chamber of commerce of the city of Philadelphia, signed Thomas Fitzsimons, president, stating that damages had been sus-

tained by the merchants of that city, from a too rigid construction, by the officers of the revenue, of the act, entitled "An act concerning the registering and recording of ships or vessels, and praying the interposition of Congress for their relief; and the memorial was read.

Ordered, That it lie for consideration.

Mr. Plumer, from the committee to whom was referred, on the 21st instant, the bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth," reported amendments; which were read.

Ordered, That they lie for consideration.

The bill to provide for the due execution of the laws of the United States within the state of Ohio was read the second time.

The motion made on the 25th instant, for the appointment of a committee on so much of the letter of the Secretary of War, which accompanied the message of the President of the United States, of the 18th instant, as relates to the establishment of trading-houses with the Indians, was withdrawn.

Mr. Morris, from the committee to whom was referred, on the 27th instant, the several memorials of the judges, under the late act to provide for the more convenient organization of the courts of the United States, made report; which was read, and

It was agreed that this report be the order of the day for Wednesday next.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 31, 1803.

The Senate took into consideration the amendments reported by the committee to the bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth;"

On motion,

Ordered, That this bill be recommitted to the original committee, further to consider and report thereon.

The Senate resumed the second reading of the bill to provide for the due execution of the laws of the United States within the state of Ohio; and

On motion, that the bill be amended,

It was agreed that the further consideration of the bill, together with the proposed amendment, should be the order of the day for Thursday, the 3d of February next.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act for the relief of William Ray and John Follawell;" a bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States;'" and a bill, entitled "An act authorizing the sale of a piece of land, parcel of the navy-yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation;" in which bills they desire the concurrence of the Senate. And he withdrew.

The Senate took into consideration the motion made on the 28th instant, "That the Secretary of the Senate be directed to give an attested copy of the proceedings of the Senate of the 2d and 3d of March, 1801, so far as they relate to the nomination and appointment of William Marbury, Robert T. Hooe, and Dennis Ramsay, as justices of the peace for the counties of Washington and Alexandria, in the territory of Columbia, on the application of them or either of them;" and

On the question, Will the Senate agree to this motion?

It passed in the negative, { Yeas 13,
 { Nays 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Plumer, Ross, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, Stone, Sumpter, and Wright.

On motion,

Ordered, That William Marbury, Robert T. Hooe, and Dennis Ramsay, have leave to withdraw their petition.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 1, 1803.

The bill, entitled "An act for the relief of William Ray and John Follawell," was read.

Ordered, That it pass to the second reading.

The bill, entitled "An act authorizing the sale of a piece of land, parcel of the navy-yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike-road and Chelsea bridge corporation," was read.

Ordered, That it pass to the second reading.

The bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States,'" was read.

Ordered, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 2, 1803.

The Vice President communicated a letter, signed Edward Tiffin, enclosing an address of the convention assembled at Chillicothe, 27th November, 1802, for the purpose of forming a constitution and state government; and they were read.

Ordered, That they lie on the table.

The bill, entitled "An act for the relief of William Ray and John Follawell," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Baldwin, and Dwight Foster, to consider and report thereon.

The bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States,'" was read the second time.

Ordered, That it be referred to Messrs. Jackson, Sumpter, and Howard, to consider and report thereon.

The bill, entitled "An act authorizing the sale of a piece of land, parcel of the navy yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation," was read the second time.

Ordered, That it be referred to Messrs. J. Mason, Bradley, and Tracy, to consider and report thereon.

On motion,

Ordered, That the consideration of the report of the committee, on the several memorials of the judges, under the late act to provide for the more convenient organization of the courts of the United States, made the order of this day, be postponed until to-morrow.

Mr. Logan presented the petition of Stephen Sayre, stating that he was employed at a foreign court in 1777 to procure arms, clothing, and other supplies, necessary for the common safety and defence, and praying compensation; and the petition was read.

Ordered, That it be referred to Messrs. Tracy, Logan, and Breckinridge, to consider and report thereon.

Mr. Wright, from the committee to whom was referred, on the 21st of January last, the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia," reported amendments; which were read.

Ordered, That they lie for consideration.

On request of his colleague, Mr. Stone, Mr. Franklin had leave of absence, after to-morrow, during the remainder of the session.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 3, 1803.

The Senate took into consideration the report of the committee on the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia;" and

On motion,

It was agreed that the consideration thereof be postponed until to-morrow.

Agreeably to the order of the day, the Senate took into consideration the report of the committee on the several memorials of the judges, under the late act to provide for the more convenient organization of the courts of the United States. The committee report as follows:

That the petitioners were judges of certain courts, inferior to the supreme court, constituted by an act of the 13th of February, 1801, and duly commissioned to hold their offices during good behavior.

That, while holding and exercising their offices, an act was passed on the 8th of March last, to repeal the said act of the 13th February, 1801, and transfer the duties of the said judges from them to others.

That a question has arisen whether, by reason of the premises, the said petitioners be deprived of their offices.

That this question, depending on the construction of the laws and constitution of the United States, is not properly cognizable by the Senate.

The committee, therefore, conceive it improper either to give reasons or express opinions; but they consider it as a question of high and serious import, and believe that a speedy investigation and final decision is of great moment to the commonwealth.

Wherefore, they submit the following resolution:

Resolved, That the President of the United States be requested to cause an information, in the nature of a *quo warranto*, to be filed by the Attorney General against Richard Basset, one of the said petitioners, for the purpose of deciding judicially on their claims. And

On the question, Will the Senate adopt this report?

It passed in the negative, { Yeas 13,
 { Nays 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Plumer, Ross, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Jackson, Logan, Nicholas, Stone, Sumpter, and Wright.

On motion,

Ordered, That the memorialists above referred to have leave to withdraw their memorial.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act supplementary to the act concerning consuls and vice-consuls, and for the further protection of American seamen;" in which they desire the concurrence of the Senate. And he withdrew.

After recurrence to the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 4, 1803.

Mr. Bradley, from the committee to whom was referred the bill, entitled "An act for the relief of Henry Messonnier," reported it without amendment.

Ordered, That this bill pass to the third reading.

Mr. J. Mason, from the committee to whom was referred the bill, entitled "An act authorizing the sale of a piece of land, parcel of the navy-yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation," reported it without amendment.

Ordered, That this bill pass to the third reading.

The bill brought yesterday from the House of Representatives for concurrence, entitled "An act supplementary to the act concerning consuls and vice-consuls, and for the further protection of American seaman," was read.

Ordered, That this bill pass to the second reading.

The Senate resumed the consideration of the bill to provide for the due execution of the laws of the United States within the state of Ohio, and the motion made 31st of January last, for an amendment, having been withdrawn,

Ordered, That this bill pass to the third reading.

On motion,

The consideration of the amendments to the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia," was postponed to Monday next.

Ordered, That Mr. Baldwin be of the committee on the petition of Stephen Sayre, in place of Mr. Tracy, excused on account of the ill state of his health.

Mr. Nicholas, from the committee, reported amendments to the bill, entitled "An act for incorporating an insurance company in the city of Washington;" and the amendments were read.

Ordered, That they lie for consideration.

Mr. Plumer, from the committee to whom was recommitted the bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth," reported a further amendment, which was adopted; and

Ordered, That this bill pass to the third reading as amended.

A motion was made that a committee be appointed to examine what amendments, if any, are necessary to be made to the act, entitled "An act to amend the act, entitled 'An act providing for the sale of the lands of the United States in the territory north-west of the Ohio, and above the mouth of Kentucky river,'" and that they have leave to report by bill.

And it was agreed that this motion should lie for consideration.

After progress in the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 7, 1803.

The Vice President communicated the report of the Commissioners of the Sinking Fund, stating that the measures which have been authorized by the Board subsequent to their report of the 16th of December, 1801, as far as the same have been completed, are fully detailed in the report of the Secretary of the Treasury to this Board, dated the third day of the present month, and in the proceedings of the officers of the Treasury therein referred to, which are herewith referred to, and prayed to be received as a part of this report; and the communication was read.

Ordered, That it be printed, together with the documents therein mentioned, for the use of the Senate.

The bill, entitled "An act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen," was read the second time.

Ordered, That it be referred to Messrs. Nicholas, J. Mason, and Bradley, to consider and report thereon.

On motion,

Ordered, That the committee to whom was referred, on the 19th January last, the message of the President of the United States of that date, together with the account therein referred to, be discharged.

On motion,

Ordered, That Mr. Ross be on the committee to whom was referred, the 25th of January last, so much of the message of the President of the United States, of the 18th, as relates to the salt springs on the Wabash, in place of Mr. Franklin, absent by permission.

The bill, entitled "An act for the relief of Henry Messonnier," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act authorizing the sale of a piece of land, parcel of the navy yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill to provide for the due execution of the laws of the United States within the state of Ohio, was read the third time; and the blanks having been filled,

Resolved, That this bill pass, that it be engrossed, and that the title thereof be "An act to provide for the due execution of the laws of the United States within the state of Ohio."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate took into consideration the amendments reported by the committee to the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia;" and, after progress,

On motion,

Ordered, That they be recommitted to the original committee, further to consider and report thereon.

On motion,

It was agreed that the consideration of the amendments of the committee to the bill, entitled "An act for incorporating an insurance company in the City of Washington," should be postponed.

Mr. Breckinridge presented the petition of Robert Ross and others, inhabitants of the county of Fairfield, in the state of Ohio, purchasers of certain lands of the United States, praying remission of the interest on the purchase money, or such other relief as Congress may deem just and equitable; and the petition was read.

Ordered, That it be referred to Messrs. Breckinridge, Ross, and Bradley, to consider and report thereon.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 8, 1803.

Mr. Tracy, from the committee to whom was referred, on the 25th of January last, the bill, entitled "An act for the relief of Hugh Alexander and others," reported it without amendment; and it was agreed that this bill should lie for consideration until to-morrow.

The Senate resumed the consideration of the amendments reported by the committee to the bill, entitled "An act for incorporating an insurance company in the City of Washington;" and having adopted them in part, and agreed further to amend the bill,

On the question, Shall this bill pass to the third reading as amended?

It was determined in the negative.

So the bill was lost.

Ordered, That the Secretary acquaint the House of Representatives that the Senate not concur in this bill.

The Senate took into consideration the motion made on the 4th instant, "That a committee be appointed to examine what amendments, if any, are necessary to be made to the act, entitled "An act to amend the act, entitled 'An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky river;" and the motion having been amended, was agreed to, as follows:

Resolved, That a committee be appointed to examine what amendments, if any, are necessary to be made to the act, entitled "An act to amend the act, entitled 'An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky river," and that they do also examine into the expediency of opening a land office in the Indiana territory during the present session; and that they have leave to report by bill or bills; and

Ordered, That Messrs. Breckinridge, Ross, and Tracy, be the committee.

After progress in the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 9, 1803.

Mr. Plumer reported, from the joint committee, that they had examined and found duly enrolled the bill, entitled "An act for the relief of Henry Messonnier;" and the bill, entitled "An act authorizing the sale of a piece of land, parcel of the navy yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation."

On motion, by one of the majority, to reconsider the vote passed yesterday on the bill, entitled "An act for incorporating an insurance company in the City of Washington:"

It was agreed that the motion should lie for consideration.

Mr. Wright, from the committee to whom was recommitted, on the 7th instant, the amendments to the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia," reported further amendments; which were read.

Ordered, That they lie for consideration.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act to provide for the granting of clearances to ships or vessels of the United States lying in the river Mississippi south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes;" in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill last brought up from the House of Representatives for concurrence was read.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to Messrs. Dayton, Breckinridge, and Anderson, to consider and report thereon.

On motion,

Ordered, That the bill, entitled "An act for the relief of Hugh Alexander and others," be further postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 10, 1803.

Mr. Plumer reported, from the joint committee, that they did yesterday lay before the President of the United States the two enrolled bills last reported to have been examined.

Mr. Tracy presented the petition of Henry Glen, stating that he had rendered important public services during the Revolutionary war, personally, and by others under his direction, for which both he and they remain unpaid, and praying compensation; and the petition was read.

Ordered, That it lie on the table.

Mr. Nicholas, from the committee instructed to that purpose, on the 27th of January last, reported a bill to revive an act, entitled "An act for establishing trading-houses with the Indian tribes," and the bill was read.

Ordered, That it pass to the second reading.

After progress in the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 11, 1803.

Mr. Dayton, from the committee to whom was referred, on the 9th instant, the bill, entitled "An act to provide for the granting clearances to ships or vessels of the United States lying in the river Mississippi south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes,'" reported amendments, which were read and agreed to; and

Ordered, That this bill pass to the third reading as amended.

The bill to revive an act, entitled "An act for establishing trading-houses with the Indian tribes," was read the second time.

Ordered, That it pass to the third reading.

The Senate resumed the second reading of the bill, entitled "An act for the relief of Hugh Alexander and others;" and

On the question, Shall this bill pass to the third reading?

It was determined in the negative.

So the bill was lost.

Ordered, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

A message from the House of Representatives, by Mr. King, in absence of their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States;" and a bill, entitled "An act for the relief of Moses White;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills were read.

Ordered, That they severally pass to the second reading.

The Senate resumed the amendments reported by the committee to the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia;" and, having in part adopted them,

On motion, further to amend the bill,

Ordered, That it be recommitted to Messrs. Breckinridge, Ross, and Wright, further to consider and report thereon.

On motion,

Ordered, That the petition of John C. Symmes, together with the report of the Attorney General, of the 28th of January last, made thereon, be referred to Messrs. Bradley, Baldwin, and Tracy, to consider and report to the Senate.

Mr. Breckinridge notified the Senate that he would, on Monday next, ask leave to bring in a bill to alter the time of holding the court of the United States for the Kentucky district.

On motion,

It was agreed that the motion made on the 9th instant, for the reconsideration of the vote on the third reading of the bill, entitled "An act for incorporating an insurance company in the City of Washington," be the order of the day for Tuesday next.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 14, 1803.

Mr. Logan presented the petition of Paul Coulon, praying indemnification for loss sustained by the detention of the prize ship Betty Cathcart, of which he was owner, in the port of Wilmington, North Carolina; and the petition was read.

Ordered, That it lie on the table.

The bill, entitled "An act for the relief of Moses White," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Baldwin, and Bradley, to consider and report thereon.

The bill, entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States," was read the second time.

Ordered, That it be referred to Messrs. Clinton, Anderson, and Jackson, to consider and report thereon.

The bill, entitled "An act to provide for granting clearances to the ships or vessels of the United States, lying in the river Mississippi, south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes,'" was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

On motion,

It was agreed that the third reading of the bill to revive an act, entitled "An act for establishing trading houses with the Indian tribes," should be postponed until to-morrow.

Agreeably to notice given on the 11th instant, Mr. Breckinridge had leave to bring in a bill to alter the time of holding the court of the United States for the Kentucky district; which was read.

Ordered, That it pass to the second reading.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed the bill, sent from the Senate, entitled "An act to provide for the due execution of the laws of the United States within the state of Ohio." The President of the United States did, on the 10th inst. approve and sign "An act for the relief of Henry Messonnier," and "An act authorizing the sale of a piece of land, parcel of the navy yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road, and Chelsea bridge corporation." The House of Representatives have agreed to the amendment of the Senate to the bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth." They have passed a bill, entitled "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States,'" in which they desire the concurrence of the Senate. And he withdrew.

Mr. Jackson, from the committee to whom was referred, on the 2d instant, the bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States,'" reported amendments; which were read.

Ordered, That they lie for consideration.

A written message was received from the President of the United States, by Mr. Lewis, his Secretary.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 15, 1803.

The message yesterday received from the President of the United States was read, as follows:

*Gentlemen of the Senate and
of the House of Representatives:*

In obedience to the ordinance for the government of the territories of the United States, requiring that the laws adopted by the governor and judges thereof shall be reported to Congress from time to time, I now transmit those which have been adopted in the Indiana territory, from January, 1801, to February, 1802, as forwarded to the office of the Secretary of State.

TH. JEFFERSON.

February 14, 1803.

Ordered, That the message and laws therein referred to, be committed to Messrs. Anderson, Breckinridge, and Clinton, to consider and report thereon.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act to provide for the granting clearances to ships or vessels of the United States lying in the river Mississippi, south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes.'" And he withdrew.

Mr. Plumer reported, from the joint committee, that they had this day examined and found duly enrolled the bill, entitled "An act to provide for the due execution of the laws of the United States within the state of Ohio;" the bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth;" and the bill, entitled "An act to provide for the granting clearances to ships or vessels owned by citizens of the United States lying in the river Mississippi, south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes.'"

The bill yesterday brought up from the House of Representatives for concurrence, entitled "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States,'" was read.

Ordered, That it pass to the second reading.

On request, by Mr. Baldwin, Mr. Brown had leave of absence after the 13th instant, for the remainder of the session.

Agreeably to the order of the day, the Senate resumed the motion for the reconsideration of the vote on the passage of the bill, entitled "An act for incorporating an insurance company in the city of Washington;" and

On the question, Will the Senate agree to the reconsideration?

It passed in the affirmative.

And it was agreed that the consideration of this bill, as in its second reading, should be the order of the day for Friday next.

On motion made and seconded, the galleries were cleared, and the doors of the Senate chamber closed.

A confidential message was received from the House of Representatives, by Messrs. Nicholson and Bayard, a committee of that house, with two bills, in which they desired the concurrence of the Senate. And they withdrew.

On motion,

Ordered, That the message and bills just received from the House of Representatives be considered as confidential, and that secrecy be observed by the members and officers of the Senate.

The message and titles of the bills, together with the proceedings of Senate thereupon, are stated at large on the confidential records.

The bill to alter the time of holding the court of the United States for the Kentucky district was read the second time.

Ordered, That it be referred to Messrs. T. Foster, Breckinridge, and Ellery, to consider and report thereon.

After progress in the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 16, 1803.

The bill, entitled "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States,'" was read the second time.

Ordered, That it be referred to Messrs. T. Foster, Clinton, and Stone, to consider and report thereon.

The Senate took into consideration the amendments reported by the committee to the bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States,'" and, having agreed thereto,

Ordered, That the bill pass to the third reading as amended.

The bill to revive an act, entitled "An act for establishing trading houses with the Indian tribes," was read the third time and amended; and it was agreed that the further consideration thereof should be postponed until to-morrow.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. The House of Representatives have passed a bill, entitled "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States, during the Revolutionary war," and a bill, entitled "An act in addition to an act, entitled 'An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States,'" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills last mentioned were read.

Ordered, That they severally pass to the second reading.

The Vice President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Nicholas, from the committee to whom was referred, on the 7th instant, the bill, entitled "An act supplementary to 'The act concerning consuls and vice consuls, and for the further protection of American seamen,'" reported amendments, which were read and agreed to; and

Ordered, That the bill pass to the third reading as amended.

Mr. Breckinridge, from the committee to whom was recommitted, on the 11th inst. the bill, entitled "An act for the relief of insolvent debtors within the district of Columbia," reported further amendments, which were read; and it was agreed that this bill should be the order of the day for Wednesday next.

Mr. Logan presented the memorials of sundry aliens, resident in the state of Pennsylvania, praying a more favorable modification of the laws respecting persons of that description; and the memorials were read.

Ordered, That they lie on the table.

Mr. Ross submitted to the consideration of the Senate sundry resolutions, which were read, as follows:

Resolved, That the United States have an indisputable right to the free navigation of the river Mississippi, and to a convenient place of deposite for their produce and merchandise in the island of New Orleans.

That the late infraction of such, their unquestionable right, is an aggression hostile to their honor and interest.

That it does not consist with the dignity or safety of this Union to hold a right so important by a tenure so uncertain.

That it materially concerns such of the American citizens as dwell on the western waters, and is essential to the union, strength, and prosperity of these states, that they obtain complete security for the full and peaceable enjoyment of such their absolute right.

That the President be authorized to take immediate possession of such place or places, in the said island, or the adjacent territories, as he may deem fit and convenient, for the purposes aforesaid; and to adopt such other measures for obtaining that complete security as to him in his wisdom shall seem meet.

That he be authorized to call into actual service any number of the militia of the states of South Carolina, Georgia, Ohio, Kentucky, Tennessee, or of the Mississippi territory, which he may think proper, not exceeding fifty thousand, and to employ them, together with the military and naval forces of the Union, for effecting the objects above mentioned.

That the sum of five millions of dollars be appropriated to the carrying into effect the foregoing resolutions; and that the whole or any part of that sum be paid or applied, on warrants drawn in pursuance of such directions as the President may, from time to time, think proper to give to the Secretary of the Treasury.

On motion,

Ordered, That the resolutions be printed for the use of the Senate, and that the consideration thereof be the order of the day for Monday next.

After progress in the confidential business,
The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 17, 1803.

The Vice President communicated the report of the commissioners appointed in pursuance of the act, entitled "An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory," and in obedience to the provisions of the act, supplemental to the last mentioned act, on the claims made by settlers, and other persons, to lands within the territory situate west of the river Chatahouchee, and south of the cession made to the United States by South Carolina; and the report was read.

Ordered, That it lie for consideration.

The bill, entitled "An act to make provision for persons that have been disabled by known wounds, received in the actual service of the United States, during the Revolutionary war," was read the second time.

Ordered, That it be referred to Messrs. Bradley, Dayton, and Sumpter, to consider and report thereon.

The bill, entitled "An act, in addition to an act, entitled 'An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States,'" was read the second time.

Ordered, That it be referred to Messrs. Jackson, Sumpter, and Bradley, to consider and report thereon.

The Senate resumed the third reading of the bill to revive an act, entitled "An act for establishing trading houses with the Indian tribes;" and having further amended the bill,

Resolved, That it pass, that it be engrossed, and that the title thereof be "An act to revive an act, entitled 'An act for establishing trading houses with the Indian tribes.'"

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States,'" was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill, entitled "An act supplementary to the 'Act concerning consuls and vice consuls,' and for the further protection of American seamen," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

Mr. Clinton, from the committee to whom was referred, on the 14th instant, the bill, entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States," reported amendments; which, being amended, were adopted.

Ordered, That this bill pass to the third reading, as amended.

Mr. Breckinridge notified the Senate, that he should, to-morrow, ask leave to bring in a bill to amend the act, entitled "An act concerning the District of Columbia;" and also, the act supplementary thereto, entitled "An act concerning the District of Columbia."

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act in addition to the act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,' and to the act, entitled 'An act to regulate the collection of duties on imports and tonnage,'" a bill, entitled "An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited;" and a bill, entitled "An act for the relief of Samuel Corp;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills were read.

Ordered, That they severally pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 18, 1803.

Mr. Tracy, from the committee to whom was referred, on the 14th instant, the bill, entitled "An act for the relief of Moses White," reported it without amendment.

Ordered, That the consideration thereof be postponed until Monday next.

The bill, entitled "An act for the relief of Samuel Corp," was read the second time.

Ordered, That it be referred to Messrs. Wright, Tracy, and Bradley, to consider and report thereon.

The bill, entitled "An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited," was read the second time.

Ordered, That it be referred to Messrs. Stone, Jackson, and Sumpter, to consider and report thereon.

The bill, entitled "An act in addition to the act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,' and to the act, entitled 'An act to regulate the collection of duties on imports and tonnage,'" was read the second time.

Ordered, That it be referred to Messrs. Ellery, Clinton, and J. Mason, to consider and report thereon.

On motion,

It was agreed, that the order of the day on the bill, entitled "An act for incorporating an insurance company in the city of Washington," be postponed until Wednesday next.

The bill, entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act for continuing in force a law, entitled 'An act for establishing trading houses with the Indian tribes,'" in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

Ordered, That it pass to the second reading.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 21, 1803.

Mr. Plumer reported, from the committee, that they did, on the 18th instant, lay before the President of the United States the enrolled bill, entitled "An act to provide for the due execution of the laws of the United States within the state of Ohio;" the enrolled bill, entitled "An act for the relief of the sufferers by fire in the town of Portsmouth;" and the enrolled bill, entitled "An act to provide for the granting clearances to ships or vessels owned by citizens of the United States lying in the river Mississippi, south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage,' and for other purposes."

A message from the President of the United States, by Mr. Lewis, his Secretary:

Mr. President: The President of the United States did, on the 19th instant, approve and sign "An act to provide for the due execution of the laws of the United States within the state of Ohio."

Ordered, That the Secretary notify the House of Representatives accordingly.

The Vice President communicated the credentials of the Honorable Theodorus Bailey, appointed a Senator by the state of New York, to take his seat after the 3d day of March next; which were read.

Ordered, That they lie on file.

Mr. Stone, from the committee to whom was referred, on the 18th instant, the bill, entitled "An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited," reported the bill without amendment.

On motion,

Ordered, That the committee appointed the 28th of January last, on the petition of Christian Vangundy, be discharged.

On motion,

Ordered, That the committee to whom was referred, on the 27th of December last, the petition of the inhabitants of the Mississippi territory holding lands under Spanish

grants and occupancy, obtained prior to the ratification of the treaty between the United States and Spain, be discharged.

On motion,

Ordered, That the committee to whom was referred, on the 2d instant, the petition of Stephen Sayre, be discharged.

Mr. Breckinridge, from the committee appointed on the 8th instant on that subject, reported a bill to amend the acts providing for the sale of the lands of the United States in the territory northwest of the river Ohio and above the mouth of Kentucky river; which was read.

Ordered, That it pass to the second reading.

Mr. Breckinridge, from the committee to whom was referred, on the 7th instant, the petition of Robert Ross and others, inhabitants of the county of Fairfield, in the state of Ohio, purchasers of certain lands of the United States, praying remission of the interest on the purchase money, reported, that, in the opinion of the committee, the prayer of the petition ought not to be granted; and the report was adopted.

The bill, entitled "An act for continuing in force a law, entitled 'An act for establishing trading houses with the Indian tribes,'" was read the second time.

On motion,

It was agreed that sundry resolutions on the right of the United States to the free navigation of the Mississippi, the order of this day, should be postponed until Wednesday next.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The President of the United States did, on the 19th instant, approve and sign "An act for the relief of the sufferers by fire in the town of Portsmouth;" and "An act to provide for the granting clearances to the ships or vessels owned by citizens of the United States lying in the river Mississippi, south of the southern boundary of the United States, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes.'" The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen." They have passed a bill, entitled "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three;" and a bill, entitled "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia;" in which bills they desire the concurrence of the Senate. And he withdrew.

The two bills last mentioned were read.

Ordered, That they severally pass to the second reading.

Agreeably to notice given on the 17th instant, Mr. Breckinridge had leave to bring in a bill to amend the act, entitled "An act concerning the District of Columbia;" and, also, the act supplementary thereto, entitled "An act concerning the District of Columbia;" which was read.

Ordered, That it pass to the second reading.

After progress in the confidential and Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 22, 1803.

Mr. T. Foster, from the committee to whom was referred, on the 15th instant, the bill to alter the time of holding the court of the United States for the Kentucky district, reported an amendment; which was read and adopted.

Ordered, That this bill pass to the third reading as amended.

The bill, entitled "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three," was read the second time.

Ordered, That it be referred to Messrs. Baldwin, Stone, and Wright, to consider and report thereon.

The bill, entitled "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia," was read the second time.

The bill to amend the act providing for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of Kentucky river, was read the second time.

The Senate resumed the second reading of the bill, entitled "An act to prevent the

importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited."

Ordered, That it pass to the third reading.

The Senate resumed the second reading of the bill, entitled "An act for continuing in force a law, entitled 'An act for establishing trading houses with the Indian tribes.'"

Ordered, That it pass to the third reading.

Mr. Wright notified the Senate that he would, to-morrow, move for leave to bring in a bill to alter the time for the next meeting of Congress.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and three;" and a bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states;" in which bills they desire the concurrence of the Senate. They agree to the amendments of the Senate to the bill, entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States." And he withdrew.

The two bills first mentioned in the message were read.

Ordered, That they severally pass to the second reading.

The bill to amend the act, entitled "An act concerning the District of Columbia," and, also, the act supplementary thereto, entitled "An act concerning the District of Columbia," was read the second time.

After progress in the confidential and Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 23, 1803.

Mr. Plumer, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States;" the bill, entitled "An act supplementary to the 'Act concerning consuls and vice consuls,' and for the further protection of American seamen;" and two confidential bills, the titles of which are entered on the Executive journals.

Mr. Jackson, from the committee to whom was referred, on the 17th instant, the bill entitled "An act in addition to an act, entitled 'An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States,'" reported it without amendment.

Mr. T. Foster, from the committee to whom was referred, on the 16th instant, the bill, entitled "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States,'" reported it without amendment.

The bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and three," was read the second time.

Ordered, That it be referred to Messrs. Anderson, Baldwin, and Ellery, to consider and report thereon.

The bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states,' and for other purposes," was read the second time.

Ordered, That it be referred to Messrs. Breckinridge, Stone, and Baldwin, to consider and report thereon.

Agreeably to notice, yesterday given, Mr. Wright had leave to bring in a bill to alter the time for the next meeting of Congress; which was read.

Ordered, That it pass to the second reading.

Agreeably to the order of the day, the Senate took into consideration the resolutions submitted on the 16th instant, respecting the indisputable right of the United States to the free navigation of the river Mississippi. Whereupon,

The Vice President required the sense of the Senate as to the construction of the 28th rule, and for this purpose submitted the following proposition:

If, during a debate, or at any other time, a motion shall be made and seconded, to shut the doors; shall the galleries be forthwith cleared and the doors shut without debate or question?

And it was determined in the affirmative.

On motion, by Mr. Breckinridge, to amend the resolutions under consideration, by striking out all that follows the word "resolved," and inserting as follows:

"That the President of the United States be, and he is hereby, authorized, whenever he shall judge it expedient, to require of the executives of the several states to take effectual measures to organize, arm, and equip, according to law, and hold in readiness to march at a moment's warning, 80,000 effective militia, officers included.

"*Resolved*, That the President may, if he judges it expedient, authorize the executives of the several states to accept as part of the detachment aforesaid, any corps of volunteers, who shall continue in service for such time, not exceeding — months, and perform such services as shall be prescribed by law.

"*Resolved*, That — dollars be appropriated for paying and subsisting such part of the troops aforesaid, whose actual service may be wanted, and for defraying such other expenses as, during the recess of Congress, the President may deem necessary for the security of the territory of the United States.

"*Resolved*, That — dollars be appropriated for erecting, at such place or places on the western waters as the President may judge most proper, one or more arsenals."

The debate was suspended to receive

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The House of Representatives have passed a bill, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen, and for other purposes,'" in which they desire the concurrence of the Senate. And he withdrew.

A message in writing was also received from the President of the United States, by Mr. Lewis, his Secretary.

The Senate resumed the order of the day, and, after debate,
Adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 24, 1803.

The message received yesterday from the President of the United States was read, as follows:

*Gentlemen of the Senate and
of the House of Representatives:*

I lay before you a report of the Secretary of State on the case of the Danish brigantine Henrick, taken by a French privateer in 1799, re-taken by an armed vessel of the United States, carried into a British island, and there adjudged to be neutral; but, under an allowance of such salvage and costs as absorbed nearly the whole amount of sales of the vessel and cargo. Indemnification for these losses, occasioned by our officers, is now claimed by the sufferers, supported by the representations of their government. I have no doubt the legislature will give to the subject that just attention and consideration which it is useful as well as honorable to practise in our transactions with other nations, and particularly with one which has observed towards us the most friendly treatment and regard.

TH. JEFFERSON.

February 23, 1803.

Ordered, That the message and papers therein referred to lie for consideration.

The bill, yesterday brought up from the House of Representatives for concurrence, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen, and for other purposes,'" was read.

Ordered, That it pass to the second reading.

The bill to alter the time for the next meeting of Congress was read the second time.

Ordered, That it be referred to Messrs. Wright, Nicholas, and Dayton, to consider and report thereon.

The Vice President communicated to the Senate a report from the Secretary for the Department of Treasury, on the emoluments of the officers employed in the collection of the customs for the year 1802; which was read.

Ordered, That it lie on file.

Mr. Baldwin, from the committee to whom was referred, on the 22d instant, the bill, entitled "An act making an appropriation for the support of the navy of the United

States for the year one thousand eight hundred and three," reported it without amendment.

Mr. Ellery, from the committee to whom was referred, on the 18th instant, the bill, entitled "An act in addition to the act, entitled 'An act concerning the registering and recording of ships and vessels of the United States, and to the act, entitled 'An act to regulate the collection of duties on imports and tonnage,'" reported it without amendment.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act fixing the military peace establishment of the United States.'" They have passed a bill, entitled "An act authorizing the transfer of the duties of supervisor to any other office," in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

Ordered, That it pass to the second reading.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the two enrolled bills referred to in the message, and which were, on the 23d instant, reported to have been examined; the one entitled "An act to provide an additional armament for the protection of the seamen and commerce of the United States;" the other, the bill, entitled "An act supplementary to 'An act concerning consuls and vice-consuls,' and for the further protection of American seamen;" and they were delivered to the committee, to be laid before the President of the United States.

Agreeably to the order of the day, the Senate resumed the consideration of the resolutions respecting the indisputable right of the United States to the free navigation of the Mississippi, together with the proposed amendments thereto; and, after debate,

On motion,

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 25, 1803.

It having been announced that the Vice President was unable to attend on account of the ill state of his health, the Senate proceeded to the choice of a President pro tempore, as the constitution provides, and the ballots being collected and counted, the whole number were found to be 21, of which 11 make a majority:

Mr. Bradley had	-	-	-	18,
Morris	-	-	-	2,
Logan	-	-	-	1.

Consequently, the Honorable Stephen R. Bradley was elected President of the Senate pro tempore.

Ordered, That the Secretary wait on the President of the United States and acquaint him that, on account of the indisposition of the Vice President, the Senate have elected the Honorable Stephen R. Bradley President of the Senate pro tempore.

Ordered, That the Secretary make a like communication to the House of Representatives.

Mr. T. Foster presented the petition of Aaron Man, praying the remission of the impost duties on certain damaged articles therein mentioned; and the petition was read.

Ordered, That it lie on the table.

Mr. Breckinridge, from the committee to whom was referred, on the 23d instant, the bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes,'" reported it without amendment.

The bill, entitled "An act authorizing the transfer of the duties of supervisor to any other office," was read the second time.

Ordered, That it be referred to Messrs. Anderson, Logan, and Cocke, to consider and report thereon.

The bill, entitled "An act to revive and continue in force 'An act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,' and for other purposes,'" was read the second time.

Ordered, That it be referred to Messrs. Baldwin, Clinton, and Cocke, to consider and report thereon.

The bill, entitled "An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill to alter the time for holding the court of the United States in Kentucky district, was read the third time.

Resolved, That this bill pass, that it be engrossed, and that the title thereof be "An act to alter the time of holding the court of the United States in Kentucky district," and, having filled the blanks with the words "the first day of April,"

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, entitled "An act for continuing in force a law, entitled 'An act for establishing trading houses with the Indian tribes,'" was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Wright, from the committee to whom was referred, on the 24th instant, the bill to alter the time for the next meeting of Congress, reported it without amendment.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act to make Beaufort, the city of Washington, and Passamaquoddy, ports of entry and delivery; to make Easton, Nanjemoy, and Tiverton, ports of delivery; to change the name of the district of Nanjemoy to that of St. Mary's; to authorize the establishment of a new collection district on Lake Ontario, and the appointment of a surveyor at Nanjemoy;" a bill, entitled "An act for erecting a light house at the entrance of Penobscot bay, or any other place in its vicinity that may be deemed preferable by the Secretary of the Treasury;" a bill, entitled "An act in addition to the act, entitled 'An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia,'" a bill, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee;" a bill, entitled "An act in addition to an act, entitled 'An act to amend the judicial system of the United States,'" and a bill, entitled "An act concerning the salt springs on the waters of the Wabash river;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills were read.

Ordered, That they severally pass to the second reading.

The Senate resumed the consideration of the resolutions respecting the indisputable right of the United States to the free navigation of the Mississippi, together with the proposed amendment thereto, and a division was called for; and the question was taken on the first resolution proposed to be struck out, as follows: "That the United States have an indisputable right to the free navigation of the river Mississippi, and to a convenient place of deposit for their produce and merchandise in the island of New Orleans."

And, on the question, Shall this be struck out?

It passed in the affirmative, { Yeas 15,
 { Nays 11.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Clinton, Cocke, Ellery, T. Foster, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Dayton, Hillhouse, Howard, J. Mason, Morris, Olcott, Plumer, Ross, Tracy, Wells, and White.

On the question, Shall the remaining resolutions be struck out? as follow:

"That the late infraction of such their unquestionable right is an aggression hostile to their honor and interest.

"That it does not consist with the dignity or safety of this Union to hold a right so important by a tenure so uncertain.

"That it materially concerns such of the American citizens as dwell on the western waters, and is essential to the union, strength, and prosperity, of these states, that

they obtain complete security for the full and peaceable enjoyment of such their absolute right.

“That the President be authorized to take immediate possession of such place or places in the said island, or the adjacent territories, as he may deem fit and convenient for the purposes aforesaid; and to adopt such other measures for obtaining that complete security as to him in his wisdom shall seem meet.

“That he be authorized to call into actual service any number of the militia of the states of South Carolina, Georgia, Ohio, Kentucky, Tennessee, or of the Mississippi territory, which he may think proper, not exceeding fifty thousand, and to employ them, together with the military and naval forces of the Union, for effecting the objects above mentioned.

"That the sum of five millions of dollars be appropriated to the carrying into effect the foregoing resolutions; and that the whole or any part of that sum be paid or applied, on warrants drawn in pursuance of such directions as the President may, from time to time, think proper to give to the Secretary of the Treasury."

It passed in the affirmative,	{ Yeas	15,
	{ Nays	11.

The yeas and nays being required by one-fifth of the Senators present,
Those who voted in the affirmative are

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Clinton, Cocke, Ellery, T. Foster, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Dayton, Hillhouse, Howard, J. Mason, Morris, Olcott, Plumer, Ross, Tracy, Wells, and White.

On the question, Shall the proposed amendment be adopted?

It passed in the affirmative, Yeas 25.

The yeas and nays being required by one-fifth of the Senators present,
Those who voted in the affirmative, are

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Clinton, Cocke, Dayton, Ellery, T. Foster, Hillhouse, Howard, Jackson, Logan, S. T. Mason, J. Mason, Morris, Nicholas, Olcott, Plumer, Ross, Stone, Sumpter, Tracy, Wells, and Wright.

So it was unanimously

Resolved, That the President of the United States be, and he is hereby, authorized, whenever he shall judge it expedient, to require of the executives of the several states to take effectual measures to organize, arm, and equip, according to law, and hold in readiness to march, at a moment's warning, 80,000 effective militia, officers included.

Resolved, That the President may, if he judges it expedient, authorize the executives of the several states to accept, as part of the detachment aforesaid, any corps of volunteers, who shall continue in service for such time, not exceeding — months, and perform such services as shall be prescribed by law.

Resolved, That ——— dollars be appropriated for paying and subsisting such part of the troops aforesaid, whose actual service may be wanted, and for defraying such other expenses as, during the recess of Congress, the President may deem necessary for the security of the territory of the United States.

Resolved, That ——— dollars be appropriated for erecting, at such place or places on the western waters as the President may judge most proper, one or more arsenals.

On motion,

On motion,

Ordered, That this resolution be referred to Messrs. Breckinridge, Jackson, and Sumpter, with an instruction to bring in a bill or bills accordingly.

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, FEBRUARY 26, 1803.

The bill, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee," was read the second time.

Ordered, That it be referred to Messrs Jackson, Clinton, and Stone, to consider and report thereon.

The bill, entitled "An act to make Beaufort, the city of Washington, and Passamaquoddy, ports of entry and delivery; to make Easton, Nanjemoy, and Tiverton, ports of delivery; to change the name of the district of Nanjemoy to that of St. Mary's; to authorize the establishment of a new collection district on Lake Ontario, and the appointment of a surveyor at Nanjemoy," was read the second time.

Ordered, That it be referred to Messrs. Wright, T. Foster, and S. T. Mason, to consider and report thereon.

The bill, entitled "An act for erecting a light-house at the entrance of Penobscot bay, or any other place in its vicinity that may be deemed preferable by the Secretary of the Treasury," was read the second time.

Ordered, That it be referred to Messrs. T. Foster, Ellery, and Olcott, to consider and report thereon.

The bill, entitled "An act in addition to an act, entitled 'An act to amend the judicial system of the United States,'" was read the second time.

Ordered, That it be referred to Messrs. Nicholas, Bradley, and Dayton, to consider and report thereon.

The bill, entitled "An act in addition to an act, entitled 'An act to regulate the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia,'" was read the second time.

Mr. Plumer reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States,'" the bill, entitled "An act continuing in force a law, entitled 'An act for establishing trading-houses with the Indian tribes,'" and the bill, entitled "An act to prevent the importation of certain persons into certain states where, by the laws thereof, their admission is prohibited."

Mr. Breckinridge, from the committee to whom the resolutions of yesterday were referred, reported a bill directing a detachment from the militia of the United States, and for erecting certain arsenals; which was read.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time; and it having been amended,

Ordered, That it pass to the third reading as amended.

A message from the House of Representatives, by Mr. Lambert:

Mr. President: The Speaker of the House of Representatives having signed five enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the three enrolled bills last reported to have been examined; also, the two confidential bills reported to have been examined on the 23d instant, and they were delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act concerning the salt springs on the waters of the Wabash river," was read the second time.

Ordered, That it be referred to the committee appointed on the 25th of January last on that part of the President's message of the 18th of January which relates to salt springs, to consider and report thereon.

Mr. Wright, from the committee to whom was referred, on the 18th instant, the bill, entitled "An act for the relief of Samuel Corp," reported it without amendment.

Ordered, That it lie for consideration.

The Senate resumed the second reading of the bill, entitled "An act for incorporating an insurance company in the City of Washington;" and it having been further amended,

Ordered, That this bill pass to the third reading as amended.

The Senate resumed the consideration of the amendments reported on the 16th instant to the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia;" and having agreed thereto, and further amended the bill,

Ordered, That it pass to the third reading as amended.

On motion,

Ordered, That the bill, entitled "An act for the relief of Moses White," pass to the third reading.

On motion,

Ordered, That the bill, entitled "An act in addition to an act, entitled 'An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States,'" pass to the third reading.

On motion,

Ordered, That the bill, entitled "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States,'" pass to the third reading.

The Senate resumed the second reading of the bill, entitled "An act in addition to an act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,'" and to the act, entitled "An act to regulate the collection of duties on imports and tonnage;" and having amended the bill,

Ordered, That it pass to the third reading as amended.

On motion,

Ordered, That the bill, entitled "An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and three," pass to the third reading.

The Senate resumed the second reading of the bill, entitled "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia;" and

Ordered, That it be referred to Messrs. Wright, Bradley, and Logan, to consider and report thereon.

The Senate resumed the second reading of the bill to amend the act, entitled "An act concerning the District of Columbia;" and, also, the act supplementary thereto, entitled "An act concerning the District of Columbia;" and

Ordered, That it be referred to Messrs. Breckinridge, Morris, and Nicholas, to consider and report thereon.

The Senate resumed the second reading of the bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes,'" and

Ordered, That it pass to the third reading.

On motion,

Ordered, That the bill to alter the time for the next meeting of Congress pass to the third reading.

Mr. Anderson, from the committee to whom was referred, on the 23d instant, the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and three," reported it without amendment; but

On motion, sundry amendments were adopted.

Ordered, That this bill pass to the third reading as amended.

The Senate resumed the second reading of the bill to amend the acts providing for the sale of the lands of the United States in the territory northwest of the river Ohio and above the mouth of Kentucky river; and

Ordered, That it pass to the third reading.

Mr. Plumer reported, from the committee, that they had this day laid before the President of the United States the four enrolled bills reported to have been examined on the 23d instant, and the three enrolled bills this day reported to have been examined.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 28, 1803:

Mr. Tracy, from the committee to whom was referred, on the 2d instant, the bill, entitled "An act for the relief of William Ray and John Follawell," reported it without amendment.

Mr. Baldwin, from the committee to whom was referred, on the 25th instant, the bill, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen, and for other purposes,'" reported amendments; which were read.

Mr. Wright, from the committee to whom was referred, on the 26th instant, the bill, entitled "An act to make Beaufort, the City of Washington, and Passamaquoddy, ports of entry and delivery; to make Easton, Nanjemoy, and Tiverton, ports of delivery; to change the name of the district of Nanjemoy to that of St. Mary's; to authorize the establishment of a new collection district on Lake Ontario, and the appointment of a surveyor at Nanjemoy," reported amendments; which were read.

Mr. Wright, from the committee to whom was referred, on the 26th instant, the bill, entitled "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia," reported it without amendment.

Mr. Breckinridge, from the committee to whom was referred, on the 26th instant, the bill, entitled "An act concerning the salt springs on the waters of the Wabash," reported amendments; which were read.

Mr. Bradley, from the committee to whom was referred, on the 17th instant, the bill, entitled "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States during the Revolutionary war," reported an amendment; which was not adopted.

Ordered, That this bill pass to the third reading.

The Senate resumed the second reading of the bill, entitled "An act in addition to the act, entitled 'An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia,'" and

Ordered, That it be referred to Messrs. Tracy, Baldwin, and Ross, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives concur in the bill sent from the Senate, entitled "An act to alter the time of holding the court of the United States in Kentucky district." They have passed a bill, entitled "An act more effectually to provide for the organization of the militia of the District of Columbia;" a bill, entitled "An act for the relief of Joshua Harvey and others;" a bill, entitled "An act for the relief of Paul Coulon;" and a bill, entitled "An act for reducing the marine corps of the United States;" in which bills they desire the concurrence of the Senate. And he withdrew.

The four bills last mentioned were read.

Ordered, That they severally pass to the second reading.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that the bill, entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," be now read the second time.

Ordered, That it be referred to Messrs. Wright, Bradley, and Sumpter, to consider and report thereon.

Mr. Jackson, from the committee to whom was referred, on the 26th instant, the bill, entitled "An act regulating the grants of land and providing for the disposal of the lands of the United States south of the state of Tennessee," reported amendments; which were read.

Ordered, That they lie for consideration.

The bill directing a detachment from the militia of the United States and for erecting certain arsenals, was read the third time, and having been further amended, and the blanks filled,

Resolved, That it pass, that it be engrossed, and that the title thereof be "An act directing a detachment from the militia of the United States, and for erecting certain arsenals."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, entitled "An act in addition to the act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,'" and to the act, entitled "An act to regulate the collection of duties on imports and tonnage," was read the third time.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendment.

The bill, entitled "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States,'" was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and three," was read the third time and further amended.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes,'" was read the third time.

Mr. Breckinridge, from the committee to whom was referred, on the 26th of February last, the bill to amend the act, entitled "An act concerning the District of Co-

lumbia; and, also, the act supplementary thereto, entitled "An act concerning the District of Columbia," reported it without amendment.

Ordered, That it pass to the third reading.

Mr. Wright, from the committee to whom was yesterday referred the bill, entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," reported it without amendment.

Ordered, That it pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and three;" and to the amendments to the bill, entitled "An act in addition to an act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,' and to the act entitled 'An act to regulate the collection of duties on imports and tonnage.'" They have passed a bill, entitled "An act concerning the city of Washington;" and a bill, entitled "An act for settling sundry claims to public lands of the United States south of the state of Tennessee;" in which bills they desire the concurrence of the Senate. The President of the United States did, on the 28th of February last, approve and sign "An act for continuing in force a law, entitled 'An act for establishing trading houses with the Indian tribes; 'An act in addition to an act, entitled 'An act fixing the military peace establishment of the United States;'" "An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited;" "An act to provide an additional armament for the protection of the seamen and commerce of the United States;" "An act for extending the external commerce of the United States;" "An act supplementary to the 'Act concerning consuls and vice consuls,' and for the further protection of American seamen;" and on the 26th February, he approved and signed "An act making further provision for the expenses attending the intercourse between the United States and foreign nations." And he withdrew.

The two bills last brought up for concurrence were read.

Ordered, That they severally pass to the second reading.

The Vice President laid before the Senate the credentials of the Honorable Israel Smith, elected a Senator of the United States for the state of Vermont, for six years, commencing on the 4th day of March, 1803; and they were read.

Ordered, That they lie on file.

On motion, Mr. Wells was added to the committee for enrolled bills, on the part of the Senate, Mr. Plumer being indisposed.

The bill, entitled "An act to reduce the marine corps of the United States," was read the second time.

Ordered, That it be referred to Messrs. Bradley, Tracy, and Logan, to consider and report thereon.

The bill, entitled "An act for the relief of Paul Coulon," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Anderson, and Olcott, to consider and report thereon.

The bill, entitled "An act for the relief of Joshua Harvey and others," was read the second time.

Ordered, That it be referred to Messrs. Wright, Bradley, and Anderson, to consider and report thereon.

Mr. Nicholas, from the committee to whom was referred "An act in addition to an act, entitled 'An act to amend the judicial system of the United States,'" reported it without amendment.

Ordered, That it pass to the third reading.

Mr. T. Foster, from the committee to whom was referred the bill, entitled "An act for erecting a light-house at the entrance of Penobscot bay, or any other place, in its vicinity, that may be deemed preferable by the Secretary of the Treasury," reported the same without amendment.

Ordered, That it pass to the third reading.

Mr. Wells, from the committee on enrolled bills, reported that they had examined and found duly enrolled the following bills: "An act to alter the time of holding the court of the United States in Kentucky district;" "An act for the relief of Moses White;" "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three;" "An act, in addition to the act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,' and to the act, entitled 'An act to regulate the collection of duties on imports and tonnage;'" "An act in addition to an act, entitled 'An act more

effectually to provide for the national defence, by establishing an uniform militia throughout the United States," and "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States.'"

On motion,

Ordered, That the committee on the petition of Cloe Strong be discharged.

The bill, entitled "An act to make provision for persons that have been disabled by known wounds, received in the actual service of the United States, during the Revolutionary war," was read a third time and passed as amended.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendment.

The bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes," was read the third time.

Resolved, That this bill do pass.

Ordered, That the Secretary notify the concurrence to the House of Representatives.

The bill, entitled "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia," was considered, and passed to the third reading.

The consideration of the bill, entitled "An act to amend the acts providing for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of Kentucky river," was resumed;

And on the question, Shall this bill pass to the third reading?

It was determined in the negative.

So the bill was lost.

The amendments to the bill, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,' and for other purposes," were considered; and it was agreed that the bill pass to the third reading.

The bill, entitled "An act authorizing the transfer of the duties of supervisor to any other office," was considered, and passed to the third reading.

The amendments to the bill, entitled "An act to make Beaufort, the city of Washington, and Passamaquoddy, ports of entry and delivery; to make Easton, Nanjemoy, and Tiverton, ports of delivery; to change the name of the district of Nanjemoy to that of St. Mary's; to authorize the establishment of a new collection district on Lake Ontario; and the appointment of a surveyor at Nanjemoy," were considered and adopted; and the bill passed to the third reading as amended.

The amendments to the bill, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee," were considered and agreed to.

Ordered, That this bill pass to the third reading as amended.

The amendments to the bill, entitled "An act concerning the salt springs on the waters of the Wabash river," were considered and agreed to.

Ordered, That this bill pass to the third reading as amended.

Ordered, That the bill, entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed six enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The President signed the six enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act to enable the President of the United States to make restitution to the owners of the Danish brigantine called the Henrick;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

Ordered, That it pass to the second reading.

On motion,

Ordered, That the petition of Aaron Man be referred to the Secretary for the Department of Treasury, to consider and report thereon at the next session of Congress. After the consideration of the Executive business,
The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MARCH 2, 1803.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides, and the ballots being collected and counted, the whole number was found to be 18, of which 10 make a majority:

Mr. Bradley had	-	-	-	-	13,
Morris,	-	-	-	-	3,
Hillhouse,	-	-	-	-	1,
Logan,	-	-	-	-	1.

Consequently, the Honorable Stephen R. Bradley was elected President of the Senate pro tempore.

Ordered, That the Secretary wait on the President of the United States, and acquaint him that, in the absence of the Vice President, they have elected the Honorable Stephen R. Bradley President of the Senate pro tempore.

Ordered, That the Secretary make a like communication to the House of Representatives.

The President communicated the credentials of the Honorable James Hillhouse, elected by the state of Connecticut a Senator of the United States for six years, commencing with the fourth day of March current; and they were read.

Ordered, That they lie on file.

Mr. Wells reported, from the Committee on Enrolled Bills, that they had this day examined and found duly enrolled the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and three;" and that they did, on the 1st instant, lay before the President of the United States the six bills reported to have been examined yesterday.

Mr. Tracy, to whom was referred, on the 1st instant, the bill, entitled "An act for reducing the marine corps of the United States," reported it without amendment.

On motion,

Ordered, That the committee to whom was referred the bill, entitled "An act for the relief of Paul Coulon," be discharged; and that the bill be postponed to the 4th day of March next.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act to enable the President of the United States to make restitution to the owners of the Danish brigantine called the Henrick," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Jackson, and Morris, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives concur in the bill sent from the Senate, entitled "An act to alter the time for the next meeting of Congress." The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. The House of Representatives have passed a bill, entitled "An act to allow a drawback of duty on sugar refined within the United States;" also, a bill, entitled "An act to prolong the continuation of the mint at Philadelphia;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills last mentioned were read.

Ordered, That they pass to the second reading.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that the bill, entitled "An act to prolong the continuation of the mint at Philadelphia," be now read the second time.

Ordered, That it pass to the third reading.

The bill, entitled "An act concerning the city of Washington," was read the second time.

Ordered, That it be referred to Messrs. Tracy, Logan, and Clinton, to consider and report thereon.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Wells reported, from the committee, that they had accordingly laid before the President of the United States the enrolled bill last mentioned.

Mr. President: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act for the relief of insolvent debtors within the District of Columbia." The President of the United States this day approved and signed "An act supplementary to the act, entitled 'An act providing passports for the ships and vessels of the United States;'" "An act for the relief of Moses White;" "An act in addition to an act, entitled 'An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States;'" "An act in addition to the act, entitled 'An act concerning the registering and recording of ships and vessels of the United States,' and to the act, entitled 'An act to regulate the collection of duties on imports and tonnage;" also, "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three." And he withdrew.

The bill, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee," was read the third time and further amended.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives therein.

The bill, entitled "An act concerning the salt springs on the waters of the Wabash river," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives therein.

The bill, entitled "An act to revive and continue in force an act, in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," and for other purposes," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives therein.

The bill, entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," was read the third time.

On motion,

That the further consideration thereof be postponed:

It passed in the negative, $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 8, \\ \text{Nays} \dots\dots\dots 13. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Hillhouse, Howard, Morris, Olcott, Plumer, Stone, Tracy, and Wells.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Breckinridge, Clinton, Cocke, Ellery, Jackson, Logan, S. T. Mason, Nicholas, Sumpter, White, and Wright.

On the question, Shall this bill pass?

It was determined in the affirmative, $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 16, \\ \text{Nays} \dots\dots\dots 7. \end{array} \right.$

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Clinton, Cocke, Ellery, T. Foster, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, White, and Wright.

Those who voted in the negative, are,

Messrs. Hillhouse, Howard, Olcott, Plumer, Ross, Tracy, and Wells.

So it was

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act for erecting a light-house at the entrance of Penobscot bay, or any other place in its vicinity that may be deemed preferable by the Secretary of the Treasury," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act authorizing the transfer of the duties of supervisor to any other office," was read the third time.

Ordered, That it lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, MARCH 3, 1803.

Mr. Wells reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia;" the bill, entitled "An act in addition to, and in modification of, the propositions contained in the act, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes;" the bill, entitled "An act concerning the salt springs on the waters of the Wabash river;" the bill, entitled "An act for erecting a light-house at the entrance of Penobscot bay, or any other place, in its vicinity, that may be deemed pre-

ferable by the Secretary of the Treasury;" and the bill, entitled "An act in addition to the act, entitled 'An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia.'"

The President communicated a letter from the Attorney General, stating that, in obedience to the order of April 15th, 1802, he had applied for the documents necessary to enable him to report; which, although not yet obtained, his attention and inquiries for the accomplishment of the object should be continued with such means as he was possessed of, or should be placed within his reach.

The bill, entitled "An act to prolong the continuation of the mint at Philadelphia," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify to the House of Representatives the concurrence. The Senate resumed the consideration of the amendments.

The Senate resumed the consideration of the amendment of the House of Representatives to their amendment to the bill, entitled "An act making appropriations for the military establishment of the United States, in the year one thousand eight hundred and three."

Whereupon,

Resolved, That the Senate do insist on their said amendment, desire a conference thereon, and that Messrs. Jackson and Ross be the managers on their part.

Ordered, That the Secretary lay this resolution before the House of Representatives. A message from the House of Representatives, by Mr. Beckley, that

A message from the House of Representatives, by Mr. Beckley, their Clerk:
Mr. President: The House of Representatives concur in the

Mr. President: The House of Representatives concur in the bill, sent from the Senate, entitled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals." They disagree to the amendments of the Senate to the bill, entitled "An act making provision for persons that have been disabled by known wounds received in the actual service of the United States, during the Revolutionary war." They agree to the amendments of the Senate to the bill, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,' and for other purposes;" also, to their amendments to the bill, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee;" to their amendments to the bill, entitled "An act to make Beaufort, the city of Washington, and Passamaquoddy, ports of entry and delivery; to make Easton, Nanjemoy, and Tiverton, ports of delivery; to change the name of the district of Nanjemoy to that of St. Mary's; to authorize the establishment of a new collection district on Lake Ontario, and the appointment of a surveyor at Nanjemoy;" and, also, to their amendments to the bill, entitled "An act in addition to an act, entitled 'An act to amend the judicial system of the United States'" The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the five enrolled bills last reported to have been examined, and they were delivered to the committee, who reported by Mr. Wells, their chairman, that they had laid them before the President of the United States.

The Senate took into consideration their amendments disagreed to by the House of Representatives to the bill, entitled "An act making provision for persons that have been disabled by known wounds received in the actual service of the United States during the Revolutionary war."

Resolved, That they do recede from their said amendment.
Ordered, That the Secretary do publish the same.

Ordered, That the Secretary notify the House of Representatives accordingly. A message was received from the House of Representatives.

A message was received from the House of Representatives by Mr. Nicholson and Mr. Randolph, two of the members of said House, in the words following:

Mr. President: We are commanded, in the name of the House of Representatives and of all the people of the United States, to impeach John Pickering, judge of the district court of the district of New Hampshire, of high crimes and misdemeanors; and to acquaint the Senate, that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same.

We are further commanded, to demand that the Senate take order for the appearance of the said John Pickering to answer to the said impeachment. And they withdrew.

The bill, entitled "An act for the relief of Joshua Harvey and others," was read the third time; and

On the question, Shall this bill pass?

It was determined in the affirmative,

{ Yeas	12,
{ Nays	6.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Breckinridge, Cocke, T. Foster, Hillhouse, Howard, Olcott, Plumer, Ross, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Baldwin, Bradley, Clinton, Logan, Nicholas, and Stone.

Whereupon,

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act to allow a drawback of the duty on sugar refined within the United States," was read the second time.

Ordered, That it be referred to Messrs. Howard, Wells, and Ross, to consider and report thereon.

Mr. Tracy, from the committee to whom was referred, on the 2d instant, the bill, entitled "An act concerning the city of Washington," reported amendments; which were read and disagreed to.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the concurrence to the House of Representatives.

The Senate resumed the third reading of the bill, entitled "An act authorizing the transfer of the duties of supervisor to any other office;" and

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Tracy, from the committee to whom was referred, on the 2d instant, the bill, entitled "An act to enable the President of the United States to make restitution to the owners of the Danish brigantine Henrick," reported it without amendment.

On motion,

Ordered, That the further consideration of this bill be postponed until the fourth of March.

Ordered, That the Secretary notify the postponement to the House of Representatives.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives recede from their amendment to the amendment of the Senate to the bill, entitled "An act making appropriations for the military establishment of the United States, in the year one thousand eight hundred and three." And he withdrew.

The Senate took into consideration the bill, entitled "An act for settling sundry claims to public lands of the United States south of the state of Tennessee."

And, on the question, Shall this bill be now read the second time?

It passed in the negative.

So the bill was lost.

Ordered, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

On motion,

Ordered, That the message received this day from the House of Representatives, respecting the impeachment of John Pickering, judge of a district court, be referred to Messrs. Tracy, Clinton, and Nicholas, to consider and report thereon.

Mr. Wells reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals;" and the bill, entitled "An act to alter the time for the next meeting of Congress."

On motion,

The Senate adjourned to 6 o'clock this evening.

THURSDAY EVENING, 6 O'CLOCK.

Mr. Plumer reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act for the relief of Joshua Harvey and others;" the bill, entitled "An act authorizing the transfer of the duties of supervisor to any other office;" the bill, entitled "An act for the relief of insolvent debtors within the Dis-

trict of Columbia;" the bill, entitled "An act making appropriations for the military establishment of the United States, in the year one thousand eight hundred and three;" the bill, entitled "An act to prolong the continuation of the mint at Philadelphia;" the bill, entitled "An act to make Beaufort and Passamaquoddy ports of entry and delivery; to make Easton and Tiverton ports of delivery; and to authorize the establishment of a new collection district on Lake Ontario;" and the bill, entitled "An act in addition to an act, entitled "An act to amend the judicial system of the United States."

Mr. Tracy, from the committee appointed on the subject, made the following report, which was adopted, and the House of Representatives notified accordingly:

"Whereas the House of Representatives have this day, by two of their members, Messrs. Nicholson and Randolph, at the bar of the Senate, impeached John Pickering, judge of the district court for the district of New Hampshire, of high crimes and misdemeanors, and have acquainted the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him, and make good the same:"

"And have likewise demanded that the Senate take order for the appearance of the said John Pickering to answer to the said impeachment:"

"Therefore,

"Resolved, That the Senate will take proper order thereon, of which due notice shall be given to the House of Representatives."

Resolved, That the Secretary of the Senate notify the House of Representatives of this resolution."

Mr. Howard, from the committee to whom was referred the bill, entitled "An act to allow a drawback of duty on sugar refined within the United States," reported it without amendment.

On the question, Shall this bill pass to the third reading?

It was determined in the negative.

So the bill was lost.

Ordered, That the Secretary notify the House of Representatives that the Senate do not concur in this bill.

Mr. Wells reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren, for propagating the Gospel among the Heathen,' and for other purposes;" the bill, entitled "An act more effectually to provide for the organization of the militia of the District of Columbia;" the bill, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee;" the bill, entitled "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States during the Revolutionary war;" and the bill, entitled "An act concerning the city of Washington."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the fourteen enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States; and Mr. Wells, from the committee, reported that they had laid the said bills before the President of the United States.

A message from the President of the United States, by Mr. Lewis, his Secretary:

Mr. President: The President of the United States this day approved and signed, "An act to alter the time for the next meeting of Congress;" and "An act directing a detachment from the militia of the United States, and for erecting certain arsenals."

Ordered, That the Secretary notify the House of Representatives accordingly.

A motion was made that it be

Resolved, That the Senate proceed to the election of a Secretary, and the other officers of the Senate, at the commencement of the next session.

On which a motion was made to postpone this resolution until the 4th day of March next; and the question of postponement was

Determined in the affirmative, { Yeas 15,
 { Nays 7.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Baldwin, Bradley, Cocke, T. Foster, Hillhouse, Howard, Jackson, Morris, Olcott, Plumer, Stone, Sumpter, Tracy, Wells, and White.

Those who voted in the negative, are,
Messrs. Breckinridge, Clinton, Ellery, Logan, S. T. Mason, Nicholas, and Wright.

On motion,

Ordered, That Messrs. Wright and Cocke be a committee on the part of the Senate, with such as the House of Representatives may join, to wait on the President of the United States and notify him that, unless he may have any further communications to make to the two Houses of Congress, they are ready to adjourn.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The President of the United States did, on the 2d instant, approve and sign "An act making appropriations for the support of government for the year one thousand eight hundred and three;" and, also, on this day, approved and signed "An act for the relief of Joshua Harvey and others;" "An act authorizing the transfer of the duties of supervisor to any other office;" "An act for the relief of insolvent debtors within the District of Columbia;" "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three;" "An act to prolong the continuation of the mint at Philadelphia;" "An act to make Beaufort and Passamaquoddy ports of entry and delivery; to make Easton and Tiverton ports of delivery; and to authorize the establishment of a new collection district on Lake Ontario;" "An act in addition to an act, entitled 'An act to amend the judicial system of the United States;'" "An act to revive and continue in force an act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,' and for other purposes;" "An act more effectually to provide for the organization of the militia of the District of Columbia;" "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee;" "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States during the Revolutionary war;" "An act concerning the city of Washington;" "An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia;" "An act for erecting a light-house at the entrance of Penobscot bay, or any other place in its vicinity that may be deemed preferable by the Secretary of the Treasury;" "An act in addition to the act, entitled 'An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia;'" "An act concerning the salt springs on the waters of the Wabash river;" and "An act in addition to, and in modification of, the propositions contained in the act, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states,' and for other purposes." The House of Representatives concur in the resolution of the Senate for the appointment of a joint committee to wait on the President of the United States, and notify him of the proposed adjournment of the two Houses of Congress, and have appointed a committee on their part. And he withdrew.

On motion,

Ordered, That the Secretary of the Senate pay to Doctor Gantt, one of the chaplains to Congress, for the present session, one hundred dollars out of the contingent fund, in addition to the allowance to which he is by law entitled.

Mr. Wright reported, from the joint committee, that they had waited on the President of the United States, and that he informed the committee that he had no further communications to make to the two Houses of Congress.

On motion,

The Senate adjourned to the first Monday in November next.

APPENDIX.

A list of acts passed at the Second Session of the Seventh Congress.

- An act making a partial appropriation for the naval service during the year one thousand eight hundred and three.
- An act for the relief of Charles Hyde.
- An act authorizing the sale of a piece of land, parcel of the navy yard, belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation.
- An act for the relief of Henry Messonnier.
- An act for the relief of the sufferers by fire in the town of Portsmouth.
- An act to provide for the granting clearances to ships or vessels owned by citizens of the United States lying in the river Mississippi south of the southern boundary of the United States; and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage, and for other purposes."
- An act making further provision for the expenses attending the intercourse between the United States and foreign nations.
- An act to provide for the due execution of the laws of the United States within the state of Ohio.
- An act in addition to an act, entitled "An act fixing the military peace establishment of the United States."
- An act supplementary to the "Act concerning consuls and vice consuls," and for the further protection of American seamen.
- An act to provide an additional armament for the protection of the seamen and commerce of the United States.
- An act for extending the external commerce of the United States.
- An act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited.
- An act for continuing in force a law, entitled "An act for establishing trading houses with the Indian tribes."
- An act in addition to an act, entitled "An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States."
- An act for the relief of Moses White.
- An act in addition to the act, entitled "An act concerning the registering and recording of ships and vessels of the United States," and to the act, entitled "An act to regulate the collection of duties on imports and tonnage."
- An act supplementary to the act, entitled "An act providing passports for the ships and vessels of the United States."
- An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and three.
- An act to alter the time of holding the court of the United States in Kentucky district.
- An act making appropriations for the support of government for the year one thousand eight hundred and three.
- An act in addition to the act, entitled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia."
- An act concerning the salt springs on the waters of the Wabash river.
- An act concerning the insurance of buildings, goods, and furniture, in the county of Alexandria, in the territory of Columbia.
- An act in addition to, and in modification of, the propositions contained in the act, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes."

- An act to make Beaufort and Passamaquoddy ports of entry and delivery; to make Easton and Tiverton ports of delivery; and to authorize the establishment of a new collection district on Lake Ontario.
- An act more effectually to provide for the organization of the militia of the District of Columbia.
- An act for the relief of insolvent debtors within the District of Columbia.
- An act to prolong the continuation of the mint at Philadelphia.
- An act in addition to an act, entitled "An act to amend the judicial system of the United States."
- An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and three.
- An act to revive and continue in force an act, in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services and for the Society of the United Brethren for propagating the Gospel among the Heathen," and for other purposes.
- An act authorizing the transfer of the duties of supervisor to any other office.
- An act concerning the City of Washington.
- An act for the relief of Joshua Harvey and others.
- An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee.
- An act to alter the time for the next meeting of Congress.
- An act directing a detachment from the militia of the United States, and for erecting certain arsenals.
- An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States during the Revolutionary war.
- An act for erecting a light-house at the entrance of Penobscot Bay, or any other place in its vicinity that may be deemed preferable by the Secretary of the Treasury.

Senators of the United States whose seats will be vacated:

MARCH, 1805.	MARCH, 1807.	MARCH, 1809.
Mr. Baldwin, Brown, Cocke, Dayton, Ellery, Dwight Foster, Franklin, Nicholas, Olcott, Sumpter, Wells.	Mr. Breckinridge, Bradley, Butler, Clinton, Jackson, Logan, Plumer, Stone, Tracy, Wright.	Mr. Adams, Bailey, Hillhouse, Macclay, S. T. Mason, Potter, S. Smith, I. Smith, White.

A Senator from New Jersey and Tennessee, when elected, will of course be in the six years class.